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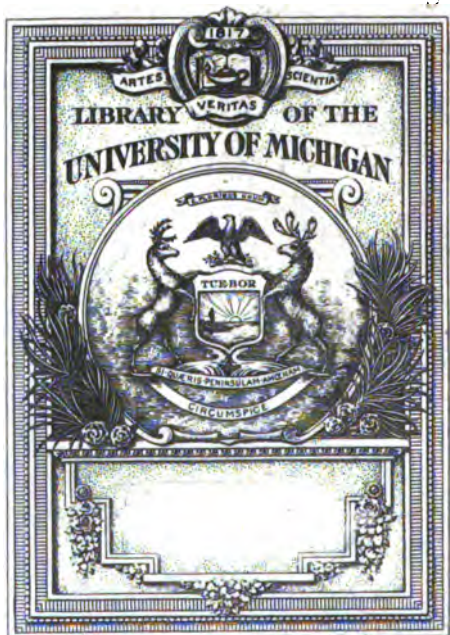
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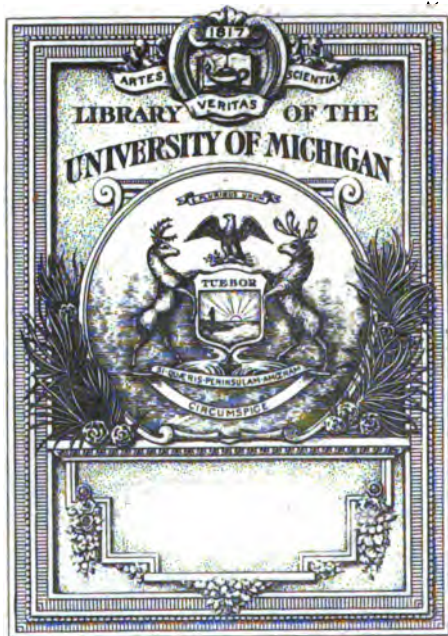
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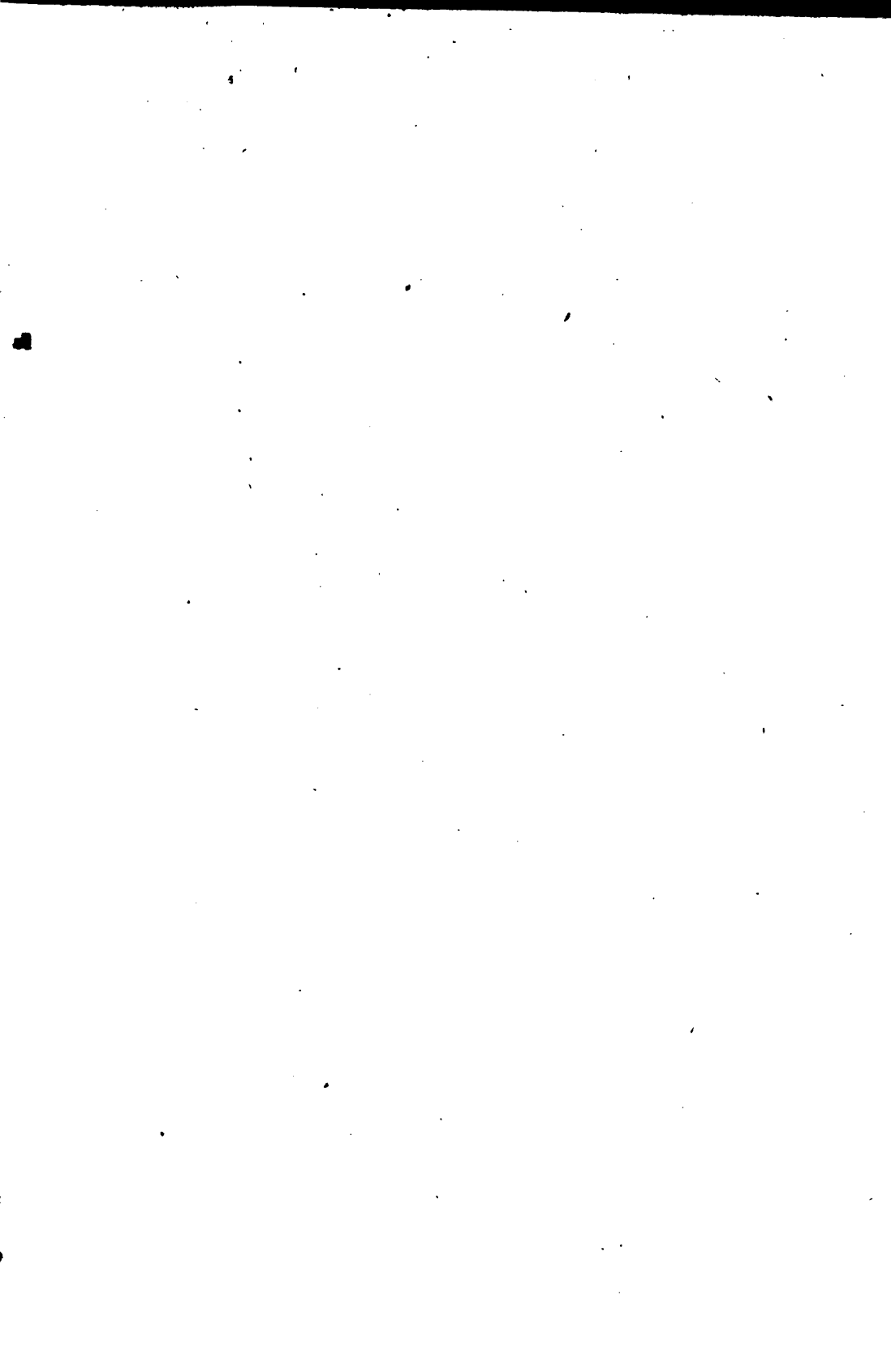
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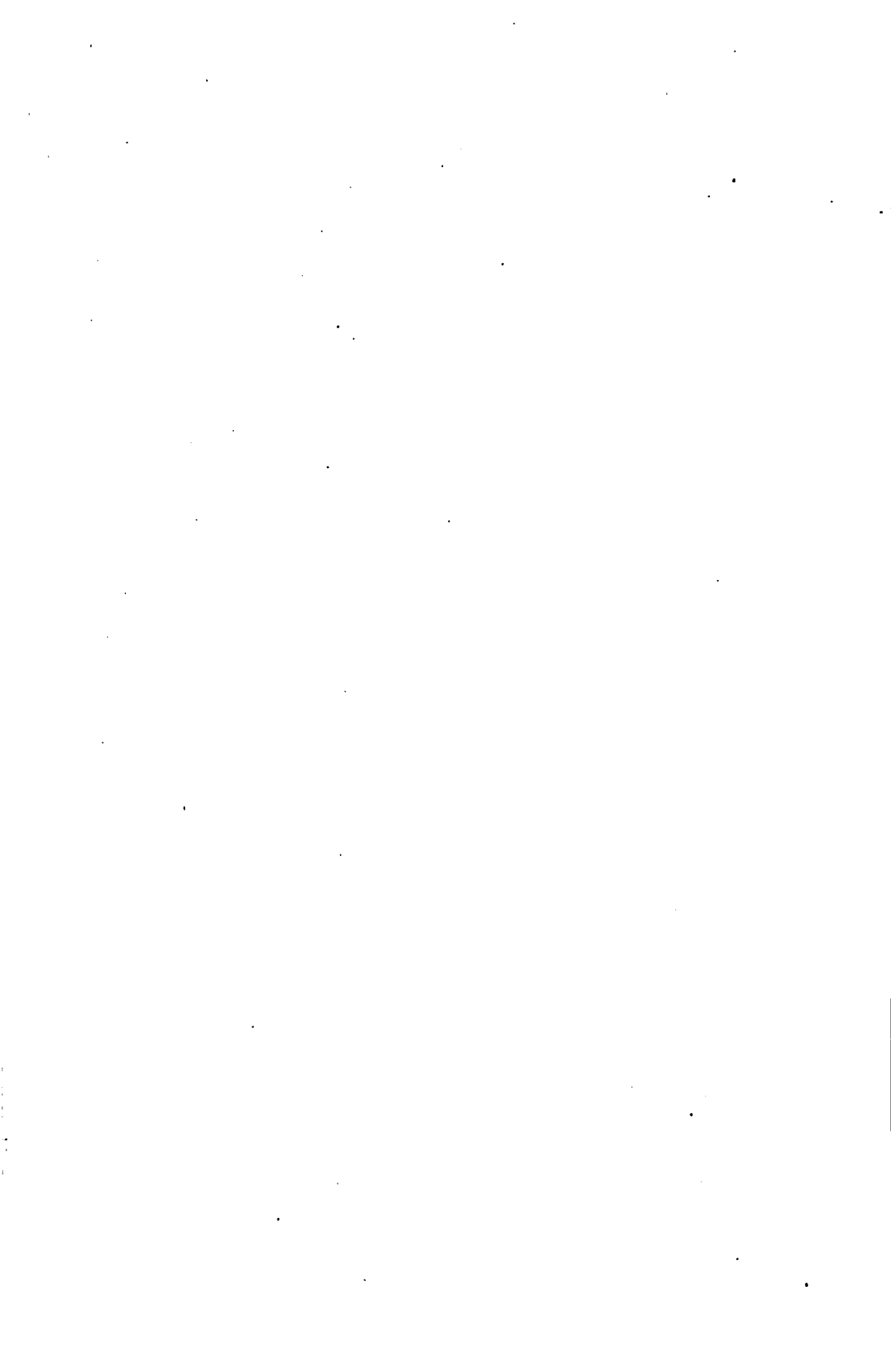


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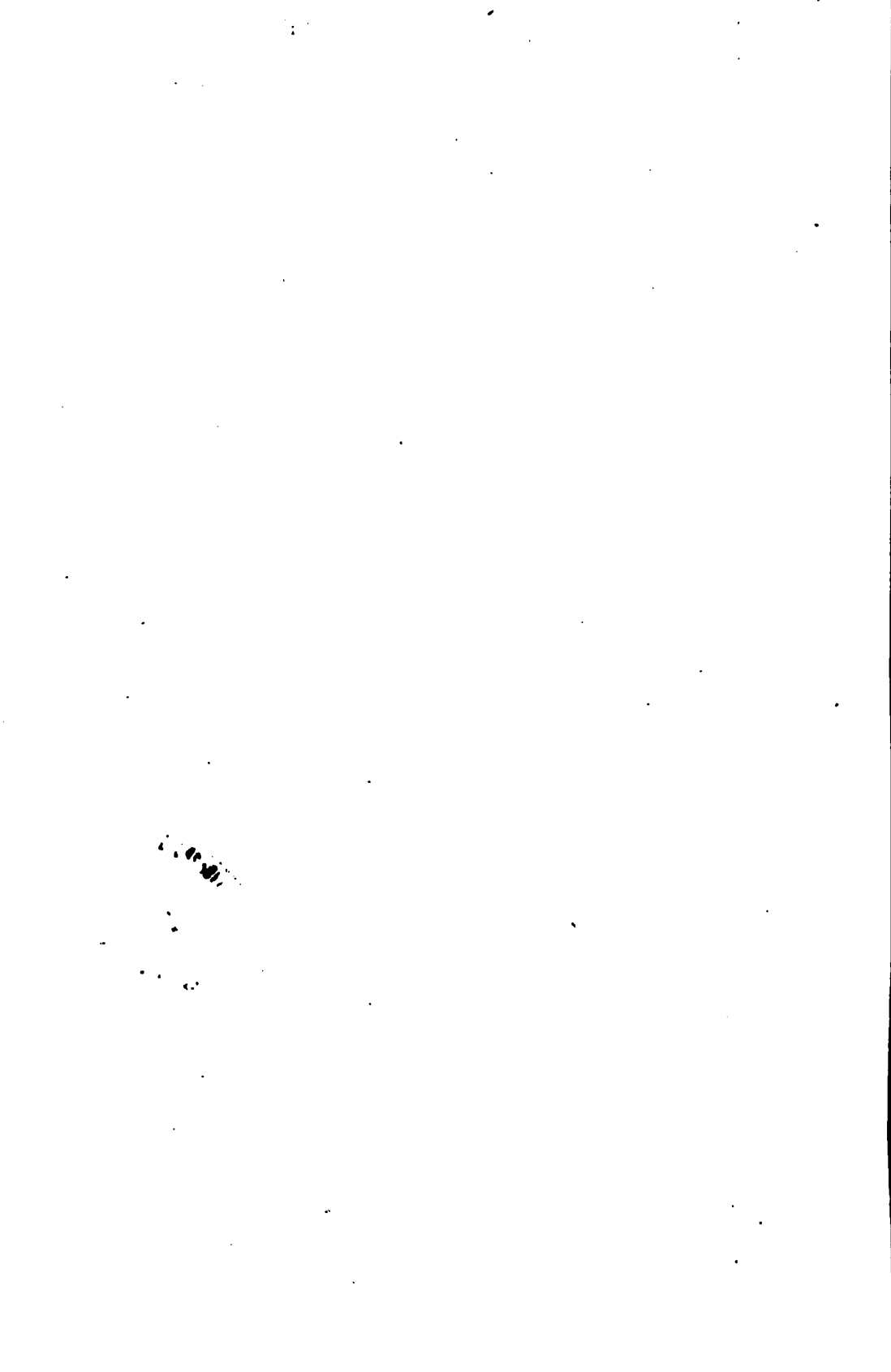


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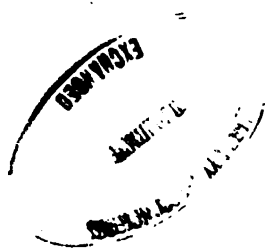






JOURNAL
OF THE
PROCEEDINGS
OF THE
House of Representatives
OF THE
Eighth Legislative Assembly
OF THE
Territory of Oklahoma

Beginning January 10, 1905, and Ending March 10, 1905.



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1905

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1905
The State Capital Co.
Guthrie, O. T.

Territorial Officials.

Governor THOMPSON B. FERGUSON
Private Secretary ROBERT M. CARR
Secretary and Ex-Officio Insurance Commissioner. WILLIAM GRIMES
Acting Governor in absence of Governor from the Territory.....
..... WILLIAM GRIMES
Assistant to the Secretary J. M. McCONNELL
Delegate to Congress BIRD S. MCGUIRE
Attorney General PERCY C. SIMONS
Assistant DON C. SMITH
Treasurer CASSIUS W. RAMBO
Assistant MRS. A. J. RAMBO
Supt. of Public Instruction and Ex-Officio Auditor..... L. W. BAXTER
Assistant E. P. MCCABE
Adjutant General E. P. BURLINGAME
Bank Commissioner PAUL F. COOPER
Assistant D. J. MOORE
Oil Inspector F. A. ASHTON
Territorial Librarian J. W. FOOSE
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W. E. BOLTON, President. THOS. MORRIS, Secretary.
P. A. BECKER.

Judiciary

CHIEF JUSTICE.

1.—HON. JOHN H. BURFORD.....Guthrie

ASSOCIATE JUSTICES.

2.—HON. CLINTON F. IRWIN.....El Reno

3.—HON. BENJ. F. BURWELL.....Oklahoma City

4.—HON. BAYARD T. HAINER.....Perry

5.—HON. JAMES K. BEAUCHAMP.....Enid

6.—HON. J. L. PANCOASTAlva

7.—HON FRANK E. GILLETTE.....Anadarko

BENJ. F. HEGLER.....Clerk Supreme Court

United States District AttorneyHORACE SPEED

AssistantJOHN W. SCOTHORN

AssistantL. E. MCKNIGHT

AssistantCASSIUS R. PECK

United States MarshalWILLIAM D. FOSSETT

Members of the House.

1	J. B. NORTON.....	Ponca
2	WESLEY TAYLOR.....	Perry
3	J. T. CRAIG.....	Pawnee
4	WM. N. WALKER.....	Stillwater
5	FRANK G. PROUTY.....	Fallis
6	ISAAC B. LEVY.....	Guthrie
7	R. R. FULLER.....	Oklahoma City
8	JOHN J. GAYMAN.....	Chandler
9	MILTON BRYAN.....	Shawnee
10	J. D. LYDICK.....	Lexington
11	J. P. BECKER.....	Medford
12	JOHN INGMIRE.....	Garber
13	W. W. NOFFSINGER.....	Kingfisher
14	WM. A. MAXWELL.....	Yukon
15	CLARENCE E. WOODS.....	Cherokee
16	A. J. ROSS.....	Alva
17	A. MCBRIDE.....	Watonga
18	B. B. BONE.....	Arapaho
19	JAMES P. GANDY.....	Supply
20	WILBUR W. DANIELS.....	Seiling
21	DYKE BALLINGER.....	Anadarko
22	SCOTT FERRIS.....	Lawton
23	J. A. JESTER.....	Foss
24	O. J. LOGAN.....	Mountain View
25	DAVID HOGG.....	Grand
26	T. M. ROBINSON.....	Mangum

Officers of the House.

AMOS A. EWING.....	Chief Clerk
ERNEST W. JONES.....	Enrolling and Engrossing Clerk
HENRY CALWELL.....	Watchman
WILL J. FRENCH.....	Sergeant-at-Arms
L. H. HOLT.....	Chaplain
B. W. HALL.....	Messenger

HOUSE JOURNAL.

Proceedings of the House of the Eighth Legislative Assembly
of the Territory of Oklahoma.

FIRST DAY

Guthrie, Oklahoma Territory,

Tuesday, January 10, 1905.

This being the day fixed by law for the convening of the Territorial Legislative Assembly, and the hour of 2 o'clock P. M. having arrived, those declaring themselves elected members of the House of Representatives of the Eighth Legislative Assembly of the Territory of Oklahoma met in the Hall designated by the Secretary of the Territory as "Representative Hall."

W. W. Noffsinger declaring himself a member-elect, called the House to order.

Mr. Gandy of Woodward Conuty placed Frank G. Prouty of Lincoln County in nomination for temporary chairman. He was unanimously elected.

J. P. Becker of Grant County was elected temporary secretary.

The chairman declared the temporary organization of the House of Representatives to be complete and perfected.

As provided by law, a committee of five was appointed on credentials, as follows: Mr. Gandy of Woodward County, Mr. Ross of Woods County, Mr. Lydick of Cleveland County, Mr. Taylor of Noble County, Mr. Robinson of Greer County.

The committee reported as follows:

Mr. Chairman:

Your Committee on Credentials beg leave to make the following report: That the following persons, in accordance with the certificates issued by the Secretary of this Territory, are all members of this Legislative Assembly as follows, to-wit:

First District, J. B. Norton, Ponca City, Kay County.

Second District, Wesley Taylor, Perry, Noble County.

Third District, J. T. Crag, Pawnee, Pawnee County.

Fourth District, W. N. Walker, Stillwater, Payne County.

Fifth District, Frank Prouty, Fallis, Lincoln County.

Sixth District, Isaac B. Levy, Guthrie, Logan County.

Seventh District, R. R. Fuller, Oklahoma City, Oklahoma County.

Eighth District, John J. Gayman, Chandler, Lincoln County.

Ninth District, Milton Bryan, Shawnee, Pottawatomie County.

Tenth District, J. D. Lydick, Lexington, Cleveland County.

Eleventh District, J. P. Becker, Medford, Grant County.

Twelfth District, John Ingmire, Garber, Garfield County.

Thirteenth District, W. W. Noff-singer, Kingfisher, Kingfisher County.

Fourteenth District, W. A. Maxwell, Yukon, Canadian County.

Fifteenth District, C. E. Wood, Cherokee, Woods County.

Sixteenth District, A. J. Ross, Alva, Woods County.

Seventeenth District, A. McBride, Watonga, Blaine County.

Eighteenth District, B. B. Bone, Arapaho, Custer County.

Nineteenth District, J. P. Gandy, Supply, Woodward County.

Twentieth District, W. W. Daniels, Seiling, Dewey County.

Twenty-first District, Dyke Ballinger, Anadarko, Caddo County.

Twenty-second District, Scott Ferris, Lawton, Comanche County.

Twenty-third District, J. A. Jester, Foss, Washita County.

Twenty-fourth District, O. J. Logan, Mountain View, Kiowa County.

Twenty-fifth District, David Hogg, Grand, Day County.

Twenty-sixth District, T. W. Robinson, Mangum, Greer County.

J. P. GANDY, Chairman.

J. D. LYDICK, Secretary.

On motion of W. N. Walker, the report of the Committee on Credentials was adopted.

The oath of office was administered to all members of the House by B. F. Burwell, Associate Justice of the Supreme Court.

The selection of the permanent organization was then declared to be in order.

On motion of Mr. Ballinger, a committee of three was appointed on Permanent Organization, as follows: Mr. Ingmire, of Garfield County; Mr. Ross of Woods County; Mr. Hogg of Day County. The committee reported as follows:

Mr. Chairman:

Your Committee on Permanent Organization, of the House of the Eighth Legislative Assembly respectfully recommend that the House act as a Committee of the Whole, and make their nominations according to their respective caucuses.

JOHN INGMIRE,

A. J. ROSS,

DAVID HOGG.

A roll call of House for nominations for Speaker was made.

Mr. Ballinger placed J. B. Norton in nomination, and was seconded by Mr. Daniels.

Mr. Maxwell placed J. D. Lydick in nomination, and was seconded by Mr. Bryan. The roll call resulted as follows:

J. B. Norton received 14 votes; J. D. Lydick, 10 votes, Mr. Norton and Mr. Lydick not voting.

Mr. Norton receiving the majority of the votes cast, was duly declared selected Speaker of the House of Representatives of the Eighth Legislative Assembly.

The oath of office was administered to Mr. Norton as Speaker, by Associate Justice B. F. Burwell.

A committee from the Council notified the House that the Council of the Eighth Legislative Assembly of the Territory of Oklahoma was organized and ready for business.

On motion of Mr. Noffsinger, the following named persons were elected as officers of the House:

J. P. Gandy, Speaker Pro-Tem; Amos A. Ewing, Chief Clerk; Thomas Bassler, first assistant clerk; A. G. Crews, second assistant clerk; G. W. Hall, third assistant clerk; Thomas P. Braidwood, fourth assistant clerk; C. W. Bugbee, fifth assistant clerk; William Baird, sixth assistant clerk; J. S. Fisher, seventh assistant clerk; D. W. Jones, reading clerk; Ernest Jones, chief enrolling clerk; Edward Southwick, first assistant enrolling clerk; Louis Mattingly, second assistant enrolling clerk; R. J. Calkins, third assistant enrolling clerk; Florence Headley, fourth assistant enrolling clerk; J. E. Munhall, fifth assistant enrolling clerk; N. E. Taylor, sixth assistant enrolling clerk; Ray Farrell, seventh assistant enrolling clerk; Mrs. B. B. Bone, eighth assistant enrolling clerk; W. J. French, sergeant-at-arms; J. M. Hay, first assistant; G. Dockerty, second assistant; I. W. Rush, third assistant; Miss Stella Roberts, stenographer; B. W. Hall, messenger; the Rev. H. L. Holt, chaplain; Henry Calwell, watchman; Frank Fegan, first assistant watchman; John Grey, doorkeeper; B. Mahoney, first assistant doorkeeper; T. E. Phillips, second assistant doorkeeper; Willis Jones, chief janitor; W. A. Howard, assistant; S. Andrews, assistant; F. H. Bell, assistant; W. Flenoyd, assistant; Robert Johnson, assistant; Robert Claypool, custodian of cloak room; Earl Lockwood, page; R. D. Ambrose, page; Lester Gandy, page; Harry Ballinger, page.

Each subscribed to the oath of office.

A committee from the Council presented the following report:

Mr. Speaker:

The committee from the Council have the honor to notify the House through you that the Council of the Eighth Legislative Assembly is now organized, and ready to proceed to business.

E. J. MURPHY,
C. R. ALEXANDER,
J. A. MENESEE.

On motion of Mr. Daniels, the Speaker appointed a committee consisting of Mr. Fuller, Mr. Walker and Mr. Ballinger, to notify the Council that the House was organized and ready for business.

The Speaker appointed Mr. McBride, Mr. Wood and Mr. Levy as a committee to meet with a like committee from the Council to notify the Governor that the Eighth Legislative Assembly was organized and ready for business.

The Rules governing the Seventh Legislative Assembly were adopted until others could be formulated and adopted.

On motion of Mr. Becker, a committee consisting of Mr. Gandy, Mr. Daniels and Mr. Hogg was appointed on mileage and per diem.

On motion, the Speaker appointed Mr. Becker, Mr. Ferris, Mr. Gayman, Mr. Noffsinger and Mr. Logan.

Mr. Ferris moved that the following persons be substituted as officers of the House:

J. I. Howard, chief clerk; C. C. Tolbert, assistant chief clerk; A. C. Root, enrolling and engrossing clerk; W. W. Bixby, assistant enrolling and engrossing clerk; J. A. Jenkins, sergeant-at-arms; J. N. Shepler, doorkeeper; W. J. Moore, watchman; John Williams, messenger.

The motion was declared lost by a vote of 15 ayes, 10 nays.

The House adjourned until Wednesday morning at 10 o'clock.

JESSE B. NORTON,
Speaker.

SECOND DAY

Guthrie, Oklahoma Territory,

Wednesday, January 11, 1905.

MORNING SESSION.

The House convened at 10 o'clock A. M. pursuant to adjournment with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Jester, Washita, excused by the Speaker.

•The Journal of the first day was read and corrected.

Gayman of Lincoln, in behalf of the School Land Lessees, presented House Concurrent Resolution No. 1, being a memorial from the Eighth Legislative Assembly of the Territory of Oklahoma, to the Senate of the United States.

Memorial from the Eighth Legislative Assembly of the Territory of Oklahoma to the Senate of the United States:

Be it Resolved by the House of the Eighth Legislative Assembly of the Territory of Oklahoma, the Council concurring therein, that

Whereas, the Senate Committee of the United States has stricken from the Hamilton Statehood Bill the preference right to purchase to the lessees on school lands when such lands shall be sold, and

Whereas, Such action by the Senate Committee works a great injustice and hardship on the people who settled on the school lands of Oklahoma and have in good faith and under the authority and protection of an Act of Congress providing for the leasing of all school land, public lands of the Territory of Oklahoma, improved said lands and made their homes thereon.

Resolved. That the Legislature of the Territory of Oklahoma here-

by memorialize the Congress of the United States to re-insert said clause in said Hamilton Statehood Bill now pending in Congress.

Resolved, That a copy of these resolutions be transmitted to our Delegate in Congress, the Hon. B. S. McGuire.

Mr. Ballinger moved that the rules be suspended, and the resolution adopted.

Mr. Bryan explained his vote as follows:

Mr. Speaker:

"I vote 'No' for the reason that there will be other resolutions introduced in the same line."

Roll call on suspension of rules:

Ayes: Ballinger, Becker, Bone, Fuller, Daniels, Ferris, Gandy, Gayman, Ingmire, Levy, Logan, McBride, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker 18; nays: Bryan, Craig, Fuller, Hogg, Lydick, Maxwell, Noffsinger, Robinson, 7; absent: Jester, excused, 1.

The ayes prevailed, and the Speaker declared the rules suspended.

The Speaker appointed Claud B. Baker as Secretary to the Speaker.

Mr. Gayman moved the adoption of the Memorial.

The roll call on the passage of the House Concurrent Resolution No. 1, resulted as follows:

Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 22; nays: Lydick, Maxwell, Robinson, 3; absent: Jester, excused, 1.

The ayes prevailed and the Speaker declared Memorial adopted.

The following appointees, previously appointed and not sworn in, were sworn in by the Speaker: Miss Florence Headley, Mrs. B. B. Bone, D. W. Jones, Miss Stella Roberts, Ray Ambrose, Robert Johnson.

Mr. Gandy of Woodward presented the report of the committee on mileage, as follows:

Mr. Speaker:

Your committee having been appointed to confer with the members and report the amount of mileage due each, would most respectfully beg leave to make the following report:

Name.	Postoffice.	One Way.	Two Ways.
Wesley Taylor, Perry.....		30	60
J. B. Norton, Ponca.....		66	132
J. T. Craig, Pawnee.....		75	150
Wm. N. Walker.....		55	110
Frank G. Prouty, Fallis.....		25	50
Isaac B. Levy, Guthrie.....			
R. R. Fuller, Oklahoma City.....		33	66
John J. Gayman, Chandler.....		50	100
Milton Bryan, Shawnee.....		69	138
J. D. Lydick, Lexington.....		62	124
J. P. Becker, Medford.....		133	266
John Ingmire, Garber.....		100	200
W. W. Noffsinger, Kingfisher.....		35	70
Wm. A. Maxwell, Yukon.....		47	94
Clarence E. Wood Cherokee.....		181	362
A. J. Ross, Alva.....		210	420
A. McBride, Watonga.....		98	196
B. B. Bone, Arapaho.....		138	276
James P. Gandy, Supply.....		285	570
Wilbur W. Daniels, Seiling.....		197	394
Dyke Ballinger, Anadarko.....		109	218
Scott Ferris, Lawton.....		145	290
J. A. Jester, Foss.....		140	280
O. J. Logan, Mountain View.....		145	290
David Hogg, Grand.....		314	628
T. M. Robinson, Mangum.....		189	378

J. P. GANDY,
DAVID HOGG,
W. W. DANIELS.

Upon motion of Mr. Bone, the report was adopted and ordered filed.

Mr. McBride, chairman of the Committee to inform the Governor that the House is ready for business reported as follows:

Mr. Speaker:

Your committee appointed as a joint committee with the Council to notify the Governor that the House of Representatives of the Eighth Legislative Assembly was now organized and ready to receive any communication that he might have to deliver, beg leave to report that we have called on the Governor and delivered your message, and the Governor will be ready to deliver his message at 2 o'clock P. M. of this date.

A. McBRIDE,
C. E. WOOD,
I. B. LEVY.

The report was adopted.

Mr. Gandy moved that the House take a recess until 1:30 P. M. The motion was carried.

AFTERNOON SESSION.

The House convened pursuant to adjournment at 1:30 o'clock.

Mr. Prouty moved that when the House adjourn it should meet at 10 o'clock A. M. Friday, January 13. The motion carried.

Mr. Fuller moved that the Speaker appoint a committee to wait on the Governor, territorial officers, and justices of the supreme court of the territory and invite them to meet with the joint session of the Legislature to hear the reading of the Governor's message. The motion was adopted.

The Speaker appointed Mr. Fuller, Mr. Wood, and Mr. Becker. The committee retired and the House took a recess.

The House convened in joint session at 2:20 o'clock P. M.

The President of the Council was invited to take the Chair.

Mr. Levy moved that the members of the Supreme Court be in-

vited to occupy the platform. Mr. Gandy amended to include the Governor and his staff. Motion as amended carried.

Mr. Becker said that the committee to wait on the Governor, Supreme Court, etc., was ready to report. Mr. Fuller, chairman, reported that the Governor was present, but the Supreme Court, having important business to transact, requested to be excused. The report was accepted.

The reading clerk read the Governor's Message.

MESSAGE

Of the Governor of Oklahoma to the Eighth Legislative Assembly.

To the Eighth Legislative Assembly:

Gentlemen:

You have assembled in the capacity of lawmakers, representing the only feature of Territorial government which derives its authority from the people. Let us all hope that when another legislative assembly convenes in Oklahoma it will be after her star has been given a place upon the field of blue—the "brightest and the best."

The progress of the Territory has been wonderful during the period which has intervened since the adjournment of the Seventh Legislative Assembly. The population is now at least seven hundred thousand. The wealth of the Territory, if all property could be assessed at its real cash value, would reach in the aggregate five hundred and forty million dollars. Our schools are the greatest of all Territorial interests. The people of Oklahoma are educators.

This assembly will probably be the last of a Territorial character. It will be a maker of history, and may close the chapter of Territorial

legislation. We are living in the formative days of a state. Our people have by their achievements written a magnificent history. The world has looked upon Oklahoma and marveled at her accomplishments. Her past has been full of interest and her future is full of promise.

STATEHOOD.

Self government is one of the things most highly cherished by every liberty loving American citizen. The people of Oklahoma want statehood. The people of the Indian Territory want statehood. A bill now pending in the senate of the United States offers what is wanted by both Territories. That bill should receive favorable action. It would be proper for this assembly to pass at once a joint resolution asking that statehood be conferred through the bill now pending in the senate.

TERRITORIAL OFFICES.

The reports of the various Territorial officials have been printed in compliance with law and are submitted for your careful consideration. It is earnestly requested that committees be appointed by the assembly to carefully check up each of the offices connected with the Territorial government, and that a report be made on the condition and business transactions of each department. As members of this body you have come direct from the people. You are their chosen business agents, and through you they should know how their affairs are being conducted.

APPROPRIATIONS.

Oklahoma has made the most wonderful progress along all lines of possible development ever witnessed in any commonwealth in the American republic in so short a time. She has grown to magnificent proportions. Conditions have very materially changed. Requirements and necessities have changed also.

In dealing with financial matters it should not be forgotten that with the growth of the Territory have come increased demands for larger appropriations, and it is not correct economy to withhold any necessary support, and by so doing curtail in any way the progress which has so conspicuously marked our past history. In my judgment

the people who pay the taxes and upon whom devolve the responsibility of supporting the various interests of the commonwealth, are willing to meet all necessary expenditures and will cheerfully acquiesce in the action of this honorable body in making the appropriations necessary to meet all reasonable demands. However, without presuming to instruct, I have the honor to suggest that in matters pertaining to appropriations it is always expedient for us to follow the ancient admonition to be "as wise as serpents and as harmless as doves."

Many demands will be made upon this assembly for appropriations. The needs are greater than at any time during the history of the Territory, and the ability to meet them has been increased accordingly. The one safeguard, however, is to know that every appropriation asked for is necessary at this time.

There are seven educational institutions in the Territory to be maintained. They present claims to the Territorial assembly every session for appropriations. It, in my judgment, is not and should not be the policy of the Territory through its legislative assembly to deny any of these institutions the support that they need, but, at the same time, precaution should be taken to prevent any appropriation not actually needed *at this time*. Local enthusiasm and a desire to build up an institution which will add to the welfare of a community, as well as to the general welfare, often inspires efforts that reach beyond the present financial power of the Territory. Again, ambition to build quickly and to develop a great institution regardless of existing conditions sometimes leads promoters of appropriations to transcend the capacity of the Territory. We can only build up our interests as existing conditions will permit. The only consistent way is to pave the road as we go but not in advance of our financial ability to do things. As the commonwealth advances in population and wealth, we should make provision to meet increased demands accordingly, but we should never go beyond present necessity.

These are matters submitted for the careful consideration of this assembly, believing that you will act in a business-like manner, conforming the general demands to the ability of the Territory to meet them.

GENERAL APPROPRIATION BILL.

Legislative assemblies have established a dangerous precedent in relation to the general appropriation bill. It has been a custom too long observed to allow the so-called general appropriation bill to remain for action until the closing hours of the session, at which time it is formulated and passed hastily and often without the mature consideration that its importance warrants. This custom frequently allows the intrusion of certain things that should not be a part of the appropriation bill. Unjust claims against the Territory, or State, are often attached to the general appropriation bill and passed as a part of it. It is a difficult task to prevent such work, especially when the bill is acted upon in the hurry and turmoil that so often characterize the closing hours of a legislative body.

Every state constitution should contain a provision giving the executive power to veto any unjust feature of an appropriation bill without extending the veto to the bill as a whole. It is to be hoped that this power will be conferred by the constitution of the State of Oklahoma.

A general appropriation bill should contain only such provisions as refer to necessary expenses in maintaining the various features of the State government. All private or individual appropriations should be considered separately. A legislature can often save the state many thousands of dollars by refusing to allow private claims to be attached to the bill which provides for the legitimate expenses of government.

HERD LAW.

A law was passed by the Seventh Legislative Assembly providing certain restrictions on stock running at large. Under the provisions of that law, all of Oklahoma lying east of the one hundredth meridian (all of the Territory except Beaver County) is subject to herd law regulations, unless the resident freeholders and legal voters otherwise direct. Upon the presentation of a petition signed by twenty-five freeholders and legal voters in any county east of the one hundredth meridian, the commissioners are required to divide the county into stock districts, no district to contain less than seventy-two square miles or more than one hundred and forty-four square miles, and

after the county is so divided and if one-fourth the legal voters of any district so petition an election shall be held and the voters allowed to decide whether or not free range shall prevail in the district, and if by a majority vote the freeholders decide in favor of free range the same shall prevail in that district, otherwise stock shall be restricted from running at large.

West of the one hundredth meridian (in Beaver County) the conditions are practically reversed. Free range prevails there unless the voters otherwise decide. The provisions of the law render it somewhat difficult for the homesteaders to obtain the much needed relief. The law requires that the freeholders, if they desire to vote on the proposition as to whether or not stock shall be restrained from running at large, shall petition the board of county commissioners to divide the county into stock districts. On the west side of the one hundredth meridian it requires the names of one-fourth of all the legal voters and residents in the county on a petition, before the commissioners are required to divide the county into stock districts, while east of the one hundredth meridian it only requires twenty-five names for the same purpose. In short, east of the one hundredth meridian, where they might want to vote for free range, it only requires twenty-five petitioners, while west of the one hundredth meridian, where they might want to vote for herd law, it requires *one-fourth* of all the voters in the county. This is a discrimination against the people of Beaver County. In its operation the law is tinged with class legislation. In other words, if the cattleman east of the one hundredth meridian wants a district set apart in which to vote free range, he only is required to submit a petition containing twenty-five names, while if the homesteader west of the one hundredth meridian (the citizen in Beaver County) wants to vote for herd law, he must submit a petition containing the names of one-fourth of the legal voters of the entire county. This in a county like Beaver, 167 miles long and 34 1-2 miles wide, would render the homesteaders' task a hard one.

At the time the law was passed it was doubtless believed that Beaver County would always remain a grazing country and that herd law restrictions would not be needed. However, that county has been filling up rapidly with homesteaders. The government intended that

country for the homesteader when it was included among the lands subject to entry. The people who have gone there believe that they can build up homes. Their crops have been destroyed by cattle that roam free and unrestrained over the country. The people should be protected. They are entitled to the same protection given the homesteaders in other parts of the Territory.

I respectfully recommend that the law be amended so as to include Beaver County and protect all of our citizens alike.

Section 2, of Article 1, of the Session laws of 1903 should be extended in its application to all of the Territory alike, and sections 37 and 38 of Article 1 of the Session laws of 1903 should be amended so as to make Section 2 of said act operative in all parts of the Territory within sixty days after the passage and approval of the act repealing portions of the former law.

QUARANTINE LAWS.

The Territory has a good quarantine law. It should not be repealed, but should be extended, strengthened and more ample provisions made for its enforcement.

The Seventh Legislative Assembly passed a bill, which, although not all that might have been desired, would have met the requirements fairly well. The act was submitted for approval, at the adjournment of the assembly. It was discovered that it conflicted with certain government grazing lease contracts then in force, consequently it could not become a law, and be effective. In arranging the provisions of the bill the government contracts had been overlooked and no conditions were interposed to meet them. After the adjournment of the Legislature, it was discovered that the grazing contracts existed but it was too late to remedy the oversight. These conditions do not exist at this time, or at least it is reported that the existing leases in the reservations that would be effected by the extension of the quarantine line, all expire next spring, consequently there is nothing in the way at this time to prevent the desired extension of the lines.

Just as long as animals are allowed to come into the Territory from the infected region, just that long will there be infection unless

better safe guards than the ones now utilized and recommended by the authorities upon this subject can be devised. The "open season" to southern cattle should be abolished, at least until some remedy is discovered to afford protection through some form of disinfection. Inspection alone will not meet the emergency. Let inspection be ever so carefully conducted, some infected animals will probably be passed during the season and all the stock interests of the adjoining country ruined as a result.

It should not be forgotten that the infected cattle are, in a majority of cases, brought into the Territory by non-residents, and those who suffer as a result are our own citizens. In my judgment it would be safe to extend the line around the Territory embracing the Osage country among the other Indian reservations to be added, provide for additional inspectors, and then make an effort to thoroughly disinfect the entire country around which the line has been extended. As we succeed in disinfecting the area embraced within the Territorial line, the Federal Government will be disposed to push its line toward ours as rapidly as conditions will permit.

GAME LAWS.

The Seventh Legislative Assembly amended the game laws of the Territory and added some wholesome provisions.

There have been some violations, but, as a whole the law is a good one and results are generally satisfactory. Notwithstanding the merits of the law it needs some changes to make it more effective. The Territorial Game Warden is allowed such slight compensation that he cannot make the law as effective as could be done under more favorable conditions. There should be an appropriation made for necessary expenses in securing evidence and conducting prosecutions. The appropriation need not be large, but it most assuredly is a necessity. The Game Warden often finds it necessary to visit a locality where violations of the law are reported, but without a provision for traveling expenses it is almost impossible for him to do so unless at a financial loss to himself.

The law should be given power to attach more severe penalties than mere fines. In some instances the violator of the law has been

fined but it failed to suppress him. It is believed that some of the violators of the law figure that they can pay the fines imposed by the local courts and then make money by shipping game. Imprisonment should be added as one of the penalties for violating the game laws. This penalty could be imposed in the case of well known offenders, and this seems to be the only remedy.

GOOD ROADS.

A crusade to promote a sentiment in favor of better public highways has been inaugurated in a number of the states and has now reached national proportions. Almost from time immemorial in the history of nations, the development of good roads has been one of the principal factors in extending civilization. Well developed highways in a community not only are a convenience, but they have a tendency to unite city and rural districts in more intimate relations and to bring all social interests more closely together.

Legislative encouragement to this very commendable public enterprise would always be a step in the right direction, and in the interest of all the people.

WORLD'S FAIR.

Probably the greatest event of like character in the history of nations was the Louisiana Purchase Exposition held at St. Louis during the past year. The highest civilization of the world was represented in that stupendous mingling of races. From many lands came people to place their products in competition and to exhibit in one arena the greatest possibilities of the twentieth century as well as the development and crystalized thought of the ages.

Oklahoma, the last commonwealth carved out of the great purchase was a contestant in this exposition for honors that were to be conferred. She sought these honors as a reward for the possibilities of her soil, the intelligence, enterprise and energy of her people as well as for the splendid advertising, and prestige to come from abroad.

Results have been very gratifying. The members of the Oklahoma Commission worked enthusiastically to place the Territory before the world in a proper manner.

The Oklahoma Pavillion was the most popular resort in the plaza of states. Our principal exhibits were in the Agricultural, Horticultural, Educational and Mineral departments.

The success of our exhibits exceeded all expectations.

Many medal awards came to Oklahoma. Prominent among them was the gold medal for the best general collection of agricultural products. When it is remembered that Oklahoma is the infant commonwealth of the American Republic and just now asking permission to walk alone without parental assistance, her success at the great fair will be emphasized, for in that contest we were in competition against the world. This success is a high commentary upon the enterprising spirit of the progressive people of Oklahoma who made it possible.

The report of the Commission has been presented to you in printed form. That report includes the business transactions of the Commission from its organization May 1, 1901, to December 2, 1904. At the time the report was submitted there was some unfinished business which will be submitted in a supplemental report. The commission will have a balance, probably amounting to several thousand dollars to turn back into the treasury.

HISTORICAL SOCIETY.

Oklahoma has made and will continue to make interesting and instructive history.

The formative period of a commonwealth is always marked by events that must be of great interest in subsequent years. Our Territory is no exception to this fact, but on the other hand emphasizes the necessity of efforts to collect and preserve information about our "early days," our struggles, our reverses, and our achievements, and by so doing bequeath to the future an historical heritage of priceless value. No other Territory in the history of this government was peopled under such novel and romantic circumstances as was Oklahoma. Her boomers and her sooners, her settlements made "in a day," her unprecedented developments all combine to make her early annals a pleasing story.

But have we been sufficiently alert on the matter of preserving a complete record of our history as it has transpired? It may be

that we have been a little negligent, but if so we should at once take the necessary precaution to provide in the future for this very important feature of our educational work.

SCHOOL LAND DEPARTMENT.

The school land office is one of the important contingents of the Territorial government. The volume of business transacted by that department is immense. There are about seven thousand six hundred lessees upon the school lands in the Territory. There are two interests to guard in leasing these lands, the interest of the fund derived for general educational purposes and the interest of the lessee who makes the improvements and pays the rentals.

It is the policy of the department to transact the affairs of this office along the lines of justice to all, and in so doing at times protests have been made against the action of the board, growing out of differences in judgment as to what value should be attached to the lands in making appraisements.

A large per cent of these lands were leased several years ago when conditions were very materially different from what they are today. When the rentals were raised so as to conform as nearly as possible to existing conditions, protests followed. There were some instances doubtless in which the appraisements were too high on certain pieces of land. Again there were instances in which they were too low. It all depended upon the judgment of the appraisers. In fixing the value on a tract of land, with the interest of the Territory to guard, the interest and equity of the lessee to guard, and an adjustment to make that will conform to present conditions in a business-like manner, an appraiser has to be as wise as the "most subtle" and as harmless as the most gentle.

Protests from lessees have reached the board from over the Territory claiming that the rentals are too high. Other persons, not lessees, have claimed that the rentals are too low. In meeting these conditions the board has exercised its best judgment.

In the year 1903 requests were made for a board of appraisers. It was suggested that a number of citizens uninfluenced by any standards that might have been established by the office, could pass upon

rental propositions with more care and probably with better ideas of equity than could be done by representatives of the department with established opinions, who have such a vast amount of official work to perform. Accordingly five appraisers, all honorable citizens, one of whom is now a member of this assembly, were appointed. The members of this board were not applicants for the place, they did not know the contemplation of such a board until they were appointed. They were all well versed in land matter. Most of them were farmers and all of them were perfectly familiar with land conditions in Oklahoma. One of them was a school land lessee. They entered upon their duties with but one purpose, and that was to give an honorable, conscientious appraisalment.

After a careful examination into the most minute details of the work, the new board raised the rentals much higher than they had ever been placed by the school land office. The men who constituted this board had no interest in the matter except the interest of the citizen called upon to discharge an official duty.

The adjustment of the school land problem is a matter that requires the best and most deliberate judgment of all the people of the Territory, and this consideration should be given free from political influence or bias. But with that proposition the present department has nothing specifically to do. This transaction of the school land business was a duty delegated by the Federal Government. These lands have not yet been transferred to our Territory. They are held subject to the disposal of the future state. At present the department is more or less an agency with its original powers delegated by the Federal Government. For information relative to the receipts and disbursements of this department during the biennium covered, you are referred to the printed report of the Secretary.

PENITENTIARY.

There were three hundred and fifty-eight Oklahoma prisoners in the Kansas penitentiary on the 30th of November, 1904. The number is constantly changing, some being released upon expiration of sentence, while others are being sent from time to time from the counties of the Territory. Kansas has for several years been keeping the Oklahoma prisoners. The original contract with that state stipulated that

the price should be thirty-five cents per day for each prisoner. In the year 1903 the Kansas authorities notified the Territory that the existing contract could no longer be maintained, claiming that the state was entitled to more compensation for keeping our prisoners. On the 4th of August, 1903, a contract was entered into between the Territory of Oklahoma and the State of Kansas. That contract stipulated that the Territory should pay forty cents per day for each prisoner. The contract expires on the 24th day of January, 1905.

Oklahoma is prohibited by Congressional restriction from erecting any public buildings, consequently cannot erect a penitentiary. What may be accomplished with the State of Kansas relative to a renewal of the contract is not known at this time. There has been a change of administration in that State, and what will be the policy of the new administration concerning the contract with Oklahoma is not known. If the contract cannot be renewed, the Territory is powerless to act. The prisoners cannot be removed at this time as there is no place to take them, and the Territory is prohibited by Congress from making the necessary provision in the way of buildings. It is to be hoped, however, that the contract with Kansas can be extended until some other provision can be made for caring for the prisoners of the Territory.

CARE OF INSANE.

On the 31st day of May, 1901, a contract was entered into by the Governor of the Territory and the Oklahoma Sanitarium Company, the contract to remain in force for a period of four years from the 15th day of June, 1901, and terminating on the 15th day of June, 1905, provided, however, that in the event that the Territory should arrange for an asylum, and be prepared to take the matter under its direct supervision, the contract with the Sanitarium Company should terminate, otherwise it should remain in force until June, 1905.

The Seventh Legislative Assembly enacted a law locating the asylum on the military reservation at Fort Supply, this reservation having been tendered to the Territory by the Federal Government for the purposes of an insane asylum. The act of the Seventh Assembly, however, contained a provision to the effect that it should not be in force until a railway, steam or electric, should be built to Fort Supply.

No such railway has yet been built, consequently the contract entered into with the Oklahoma Sanitarium Company is still in force.

The existing contract provides that the Territory shall pay the sum of two hundred dollars per annum for each patient, for board, lodging, medical treatment, and all the attention accorded a patient in an institution of this character.

The Territory does not control the sanitarium management, and has nothing to do with its business transactions. The only authority that the Territory can exercise is that of a contractor. The company contracted with the Territory to perform certain things. The Territory can only require that those things be done, and beyond the fulfillment of the contract has no jurisdiction over the business affairs of the institution.

On the fifteenth of December, 1904, there were confined in the asylum four hundred and thirty-four patients. Patients are going to and from the asylum almost all of the time. It is worthy of note, however, that the number is constantly increasing, notwithstanding the changes.

Under the law, the board of visitation can release patients from the asylum, and they can also be released by the physician in charge. These patients are sent to the institution by authority of the boards of insanity in the various counties. In some instances, in fact in many instances, the persons pronounced insane by these boards are not insane, but are often poor people who should be maintained at the expense of local taxation and not at the expense of the Territory. Again, inebriates and cocaine victims are frequently pronounced insane by the county boards and sent to the asylum to be cared for by the Territory. These persons are from time to time released by the physician at the sanitarium, or by the board of visitation, and returned to the counties from which they were sent, only to be arraigned by the local insanity board and returned to the asylum. While these persons frequently are not really insane, yet they are legally insane, having been so pronounced by a legally constituted board. It is respectfully recommended that the law governing the powers of the county insanity boards be amended and that a restriction be placed upon the liberties

too often assumed by said boards in sending persons who are not insane to the asylum to be cared for at Territorial expense.

AUDITOR'S DEPARTMENT.

The report of the Auditor indicates a large increase in the volume of business of the Territory.

During the past biennium the treasurer received \$1,900,156.23 and disbursed \$1,878,721.76. The major portion of the amount disbursed has been for schools. It did not come from taxation alone but from different sources. It came from taxation, leasing of school lands, interest on deposits of Territorial money and from the Federal government.

The sum of \$920,141.50 was disbursed to the Colleges. Of this amount the sum of \$228,570.87 came from rentals on College school lands, the Federal government and other sources.

The amount of warrants issued (not including the old tax levy University warrants) was \$817,501.82 for year ending November 30, 1903.

The amount of warrants issued, not including the University warrants for year ending November 30, 1904, was \$882,077.31.

Amount of warrants redeemed including interest, for year ending November 30, 1903 was \$854,044.36.

Amount of warrants redeemed for year ending November 30, 1904 including interest, was \$1,024,677.40.

Total amount of warrants issued for years 1903-1904, \$1,699,579.13.

Total amount of warrants redeemed for years 1903-1904, \$1,878,721.76.

The running expenses of the Territory amounted to .003 1-3 per cent of the taxable property in 1901; .002 1-8 in 1902, .003 1-4 in 1903, and .002 13-20 in 1904.

For a detailed statement of the business affairs of the Territory you are respectfully referred to the printed copy of the Auditor's Report which has been placed before you.

TERRITORIAL TREASURER.

The report of the Treasurer shows the sum of \$669,809.62 to the credit of the Territory on the 30th day of November, 1904. This amount includes the sum of \$224,053.21 on deposit in the Capitol National Bank at the time of its failure in April last. Recently the Comptroller authorized a dividend of 20 per cent. The Territory received as a result of this dividend, \$48,810.64.

The Territory was insured in the American Bonding Company of Baltimore in the sum of \$250,000. In the United States Fidelity and Guaranty Company in the sum of \$25,000. These companies refused to meet their obligations to the Territory and suit has been commenced against them to recover the insurance.

During the past biennium the only bonded indebtedness of the Territory has been canceled. The amount of bonds redeemed was \$48,000. Interest on bonds, \$5,407.20, total, \$53,407.20.

There still remains on hand in the bond interest fund \$7,289.03.

As the Territory now has no bonded indebtedness, no bond interest fund is needed, and I respectfully recommend that a law be enacted authorizing the transfer of the balance in the bond interest fund, as well as amounts that may accrue to that fund in the future from taxes now assessed but unpaid, to the general revenue fund.

The taxes accumulating from the session laws fund could also be very advantageously transferred to either the general revenue or the library fund.

The amount of delinquent taxes due the Territory from the various counties is \$312,223.31.

This delinquency extends from 1891-1892 to 1903 .

TERRITORIAL DEPOSITORIES.

The problem of Territorial depositories is a hard one to solve. Viewed from any standpoint, it is difficult to reach a conclusion as to what is best. In 1901 the legislature enacted a depository law. That law provides that the treasurer shall make a contract (the contract to receive the approval of the Governor) with a bank or banks in the

Territory. The law provided also that Governmental bonds, surety bonds, Territorial General Fund Warrants and Municipal Bonds should be required as security.

Shortly after the approval of the depository act, in April, 1901, a contract was made with the Capitol National Bank designating it as the sole depository of the Territory for one year, from the first day of May, 1901.

At the beginning of the present Territorial administration which was on the 10th of December, 1901, there was deposited in the Capitol National Bank the sum of \$376,969.75 in Territorial funds.

About this time, (latter part of 1901) there were additional sums deposited in this bank amounting in all to \$673,120.46. This was money for which the Territorial Administration was responsible, although it was not Territorial money. It came into the custody of the School Land Office from applicants for school lands in the counties which had been opened for settlement during the summer of 1901. Each bidder for school land was required to deposit the amount of his bid and as there were frequently numerous applicants for the same tract of land the deposits were enormous. Of the \$673,120.46 which had been deposited during the competitive bidding in the fall of 1901 the sum of \$476,313.22 was returned to unsuccessful bidders, and the balance passed to the credit of the funds to which the lands belonged. The amount of money, including Territorial money and money bid on school lands which was deposited in the Capitol National Bank during the latter part of 1901 was enormous, probably at one time between eight and nine hundred thousand dollars. After the \$476,313.22 had been returned to the unsuccessful bidders and the balance had passed into the custody of Territorial Treasurer, it increased the Territorial deposits until on the 30th day of April, 1902, there was in the depository the sum of \$602,895.47. The Capitol National bank contained all of this money, having been designated as the Territorial depository in April, 1901. At the expiration of the original depository contract it was not deemed best to keep such large amounts in one bank, consequently additional contracts were made with other banks as depositories, the Capitol National Bank being continued as one of the depositories.

At the time of the expiration of the contract with the Capitol National Bank as sole depository many banks over the Territory became applicants to become depositories. The Treasurer was confronted by a perplexing proposition. There were two features of the situation to consider. If many banks were made depositories, while the amount in each would be less, the liability of failure would be increased. Upon the other hand if a limited number of banks were made depositories, while the liability of a failure might be lessened the amount in case of failure and loss would be greater. The treasurer has been increasing the number of depositories. There are now seven of them. The deposits are all secured. It is believed that the securities held by the Territorial Treasurer would bring more upon the market than the amounts of any loss that could possibly result from the failure of the depositories.

The legislator who can devise an absolutely safe depository law and ways and means to comply with it would be a public benefactor, not only to the Territory but to the states as well, where this matter is still an unsolved problem. At best it is an experiment attended by dangers. If surety bonds are taken and a loss occurs, the companies almost invariably resist payment if the amount of the liability is large.

If Territorial warrants or the municipal securities are taken, there is always some danger of the loss of the securities.

BANK COMMISSIONER.

The appropriations made for this department during the past biennium amounted to \$5,800.00. The fees collected and turned into the Territorial Treasury amounted to \$4,535.00. The Department has almost been self-sustaining during the period reported, the appropriations only exceeding the fees by \$1,265.00. The law requires certain duties of the Commissioner but does not make a sufficient expense appropriation for him to successfully perform them.

The Assistant Bank Examiner does not devote all of his time to examinations as he is required to do office work but he could assist very materially in the examinations if traveling expenses were provided.

The Banking Department of Oklahoma is a very important one. It is constantly increasing in magnitude.

There were Two Hundred and Fifty-five Territorial Banks in operation on the 1st of December, 1904. During the past biennium there have been Two Hundred and Eighty-one examinations and it should not be forgotten that this was done with an expense allowance for office rent, light and traveling expenses of only Six Hundred Dollars (\$600.00) per annum. It is insufficient. If a bank closes its doors and there has not been a recent examination the Department is censured. How a Department with Six Hundred Dollars (\$600.00) incidental expense account per annum can examine 255 banks even once during the year is a problem hard to solve. It can not be done by one man. Two men working the entire time could scarcely meet all requirements. The banking interests of the Territory are constantly increasing and if proper service is rendered proper facilities for promoting the work should be provided. The provisions that applied when there were only fifty Territorial banks will not apply when there are two hundred fifty-five and the number constantly increasing.

This is a matter which is submitted for your most careful consideration. It deals with conditions in which the masses of the people are vitally interested. Oklahoma is being filled with banks. Almost every little village has a bank. The larger towns have many of them. These banks in the aggregate have enormous deposits. A large amount of this money belongs to the farmers, the merchants, and the industrial classes generally. If the Banking Department protects these interests, (as far as it can protect them), provisions should be made for more frequent examinations.

NATIONAL GUARD.

Oklahoma maintains a regiment of National Guard. During the two years past marked improvements have been made in this organization. The armament and equipment furnished by the War Department during the past biennium assisted very materially in raising the standard higher than it has ever been before in the history of the regiment.

It is the purpose of those who have control of the guard to spare no efforts to make it compare favorably with any of the organizations of like character throughout the country. The War Department has been

liberal in furnishing armament and equipment, but the Territory is required to make provision for general and incidental expenses. A body of drilled troops in every State and Territory is the policy of the government, and to that end it is working. By a very liberal allotment of arms and equipments the War Department is building up organizations of citizen soldiers all over the country, which relieve the necessity of a great standing army. In the event of war the government could call into action a vast army of fairly well drilled citizens in a very short time. But, in addition to that feature of the situation, the Guard is a formidable police force in case of insurrection or any kind of disturbance that might menace the welfare of the commonwealth. It is not the purpose of this department to be extravagant, but it is greatly desired that sufficient provision be made to enable the officers to maintain creditable armories and take care of the property in a suitable manner.

OIL INSPECTION.

The Seventh Legislative Assembly made some radical changes in governing the inspection of oils. The law as it now stands provides for a stated salary for the inspector with an allowance for contingent expenses; it also provides for certain fees for deputy inspectors, and that the excess fees after paying the deputies shall be turned into the Treasury of the Territory.

During the time that the new law has been in operation the sum of \$13,067.83 has been collected. The fees paid to deputies have amounted to \$3,122.32. The balance, \$9,945.51 has been paid into the treasury.

The present law works quite differently from the one that preceded it. The former law was defective and difficult to enforce but it is believed that the present law with a slight modification will meet the requirements, and be of increased value to the Territory.

The law is self-sustaining and in addition to that, the Territory derives considerable revenue from it. That it has been a protection to the public during the past biennium is made evident from the fact that very few complaints have been urged against its workings.

I respectfully recommend that the fees of the deputy inspectors be increased sufficiently to compensate them for giving their time to the work. The deputies have not been receiving the compensation under the law to which they are really entitled for the services rendered. The object of the law is not only to protect the consumer in the quality of the oil, but to protect against dangerous oils being placed upon the market.

BOARD OF AGRICULTURE.

An act passed by the Sixth Legislative Assembly provided for the organization of a Board of Agriculture. Under authority of this act, on the 18th of December, 1902, the board was organized, by electing officers and complying with the other requirements of the law. The Seventh Legislative Assembly made an appropriation of one thousand dollars per annum for the salary of the secretary of the board, and eighteen hundred dollars for incidental expenses of the office, the appropriation for incidental expenses to be expended under the supervision of the board. The office was opened on the second day of April, 1903. Although many difficulties have been encountered the board has accomplished much good for the agricultural as well as general interests of the Territory. Oklahoma is an agricultural country.

The general agricultural interests of the Territory are of great importance, and it is to be hoped that the Board of Agriculture can be advanced and become a department in the government of the Territory or State. With a demand for advanced ideas along agricultural lines and new problems confronting us every year, it is imperative that we prepare to meet the rapidly changing conditions and "keep abreast the times."

The report of the secretary of the board calls attention to various features of the work. It is recommended that provision be made to extend the utility of this work, believing that Oklahoma's future progress will be closely associated with her agricultural possibilities, and development along that line.

LIVE STOCK SANITARY COMMISSION.

The live stock interests are of vital importance to the wealth and development of Oklahoma. It has for several years been apparent to

stock raisers as well as to all others conversant with conditions, that the quality of stock should be improved, because of a constant decrease in grazing facilities which renders the old time "big herd" an impossibility from this time on.

The Sanitary Commission has many important duties to perform. It has to deal with cattle inspections, glanders, and other diseases among horses, and in fact the general conditions effecting the live stock interests of the Territory. In the event that this assembly should extend the quarantine line around the Territory it will be necessary to increase the field force of the Commission to at least seven inspectors.

If the lines are extended as suggested it will be necessary to maintain a restricted district above the line and allow cattle to be moved out of it upon inspection or any other regulations that may from time to time be provided. There are portions of the Territory which should be quarantined against southern cattle, but which are now infected and will continue so until some effective work is done in eradicating the infection. It is necessary to first prevent infection from the outside by a strict quarantine against southern cattle, then some energetic sanitary work inside the lines and the desired result can be reached. We can never make Oklahoma free from infection, however, as long as southern or diseased cattle are permitted to cross our line with inspection as the only safeguard. It may be that the Federal authorities have discovered a remedy, but if so, it has not yet been sufficiently tested to insure it as a protection.

THE ATTORNEY GENERAL.

The office of the Attorney General has been over crowded with work during the period intervening since the adjournment of the last Legislature. Not only has the office disposed of the vast amount of legal work directly pertaining to the Territory, but many opinions upon law propositions have been rendered in response to requests from county officials and other citizens.

In addition to rendering opinions the Attorney General has been called upon to assist in prosecuting violations of the law in several of the counties, especially in cases in which the County Attorney has been disqualified or failed to prosecute.

Again the Attorney General has appeared in cases in the Supreme Court in Washington in which the Territory has been an interested party.

GRAIN INSPECTOR.

The report of this department states that the largest grain crop ever raised in Oklahoma was in 1903. During that year the surplus found its way to southern markets, consequently Oklahoma Inspectors were kept at two points in the State of Texas—Fort Worth and Gainesville.

During the year 1904 the inspection has practically all been made in the Territory.

The inspection must be of benefit to those interested in the grain trade.

It is not obligatory, yet the inspection is sought and the services of the department much in demand.

TERRITORIAL LIBRARY.

The Territorial Library is largely an accumulation of law books, and kindred publications. For several years those having supervision have been engaged in collecting these volumes, and now we have quite a large number of useful publications. The present library rooms are inadequate to meet the requirements and it is recommended that provision be made to provide better facilities for taking care of this very important institution. It is in a sense one of the educational factors of the Territory.

BOARD OF DENTAL EXAMINERS.

The Secretary of the Board of Dental Examiners submits a brief report. That report shows that the Board has under the existing statutes been able to successfully prosecute violators of the law and to enforce the penalties against those who assume to practice dentistry without authority. It is evident that the work of the Board is bringing good results and raising a higher standard of requirements among practitioners throughout the Territory.

BOARD OF HEALTH.

The report of the Secretary of the board indicates that health conditions have been good throughout the Territory during the past biennium and that visitations from contagious diseases have not been frequent. It is true that in several instances small-pox and other diseases have broken out but they have been promptly dealt with and no serious results have followed.

The board has had to take action to prevent the sale of impure meat in the Territory.

It is respectfully recommended that a law be enacted covering this matter in full, and imposing a penalty that will in the future aid in preventing this dangerous practice.

BOARD OF PHARMACY.

The report submitted by the Board of Pharmacy deals with several things of utmost importance to the public. Your attention is especially called to the statement of the Board that the law governing the sale of adulterated food is of little avail because of a lack of authority to enforce it.

The Board also calls attention to the sale of cocaine. The use of this fatal drug is increasing to an alarming extent. A law is badly needed to govern this matter and I respectfully recommend legislative action as a safeguard.

BOARD OF OSTEOPATHIC EXAMINERS.

The Legislature of 1903 passed a law creating a board of Osteopathic Examiners. There was considerable agitation over the creation of this board.

The Legislature, in making provisions for it, evidently took into consideration the fact that liberty of action is one of the fundamental principles of our government, and especially when the exercise of this liberty harms no one.

The doors of opportunity should be closed to none. The only test is the "survival of the fittest."

What is best in the treatment of diseases and the regulation of practice by law is hard to determine. From the days of Esculapius down to the Oklahoma controversy, "doctors have disagreed, and wise men have reached different conclusions."

If the Eighth Legislative Assembly can solve this problem, I have the honor to state that your honorable body will have filled a "long felt want."

PUBLIC SCHOOLS.

The crowning glory of Oklahoma is her school work. This feature of her enterprise and development has been very prominently promoted during all of the history of the Territory.

The report of the Territorial Superintendent shows that during the past biennium the sum of \$438,370.01 (\$2.17 per capita) derived from rentals on school lands has been apportioned to the common schools. That report also shows that the seven state educational institutions have received transfers amounting to \$99,469.86 of money also derived from rentals on school lands. This has been a splendid contribution to our educational interests through the policy of utilizing our public lands for educational purposes.

The Superintendent's report also shows that for common school purposes the total receipts were \$1,535,744.15 in 1903 and \$1,696,765.24 in 1904; that expenditures were \$1,266,278.55 in 1903 and \$1,459,623.54 in 1904. These amounts include moneys received and disbursed for all purposes connected with the common schools "teachers' salaries, sites, buildings, rents, repairs, library and apparatus." It should be remembered that the above amounts represent what the people have disbursed in the districts of the Territory and does not include the Territorial educational institutions for which other provisions were made.

The disbursement of \$1,459,623.54 in one year by the people for educational purposes is a high commentary upon the enterprise and progressive spirit of our citizens. A people who do things in that way are certainly qualified to govern themselves.

For extended information upon our school interests you are respectfully referred to the report of the Territorial Superintendent.

THE UNIVERSITY.

Oklahoma is a commonwealth of high destiny. Her past achievements augur splendid future possibilities. This is especially emphasized in her educational work. The sentiment of Oklahoma citizenship has always been to promote the interests that pertain to intellectual development and to keep our schools in the vanguard of progress. From the beginning of our career as a commonwealth, the people have been enthusiastically interested in the development of schools and colleges with a standard high enough to give them a place among the best in the country.

It is, and should be, the purpose of the Territory to educate the boys and girls of Oklahoma at home. With the splendid record which we have already made in educational work the time should never come in the history of the Territory or future state when our boys and girls will have cause to even desire to go elsewhere to be educated.

The Territorial University should be elevated to such a standard as to enable it to meet all requirements along the lines of higher education. In that direction it has been moving rapidly and its progress has been highly satisfactory. Its career commenced at a time when the Territory was young and undeveloped, but the school has moved on as steadily as conditions would permit and is today accomplishing good work with the promise of a splendid future.

The University is gradually growing away from the preparatory requirement. A preparatory department is still maintained but it is the policy of the management to eliminate it as soon as it is deemed expedient to do so.

In all probability the Preparatory School at Tonkawa and the High schools of the Territory will at no distant future day supply the University with students and thus eliminate its preparatory department.

UNIVERSITY PREPARATORY.

The University Preparatory school, located at Tonkawa, has accomplished much during its short career. Its purpose is to give instruction in elementary work and prepare students for the University.

This school has during the past year had an officer detailed by the War Department to give instruction in military science. There are two cadet companies. The Government furnished a detail of arms and other equipments amounting to something over five thousand dollars in value.

As this is a preparatory school it was deemed best to ask the War Department for this detail as the drills and training not only furnish a splendid opportunity to the boys for physical development, but promote obedience to discipline as well.

This school has been well patronized from the beginning. It has been of especially great value to the boys and girls who live upon the farm many of whom have taken advantage of the opportunity which it affords. It has often been called "the school of the people."

THE AGRICULTURAL AND MECHANICAL COLLEGE.

Oklahoma is an agricultural country. That fact has been clearly demonstrated. Her wealth is in the fertility of the soil and the energy of her people. The almost unbounded possibilities of our splendid young Commonwealth are being realized more and more every year by the people who have laid the foundation for her future greatness. The sentiment among all progressive people is to promote education along all lines and this especially holds good in Oklahoma. The day has passed into history when it was believed that those who tilled the soil and those who directly represented our great industrial developments did not need the advantages of education and special training along chosen lines of enterprise.

The Agricultural and Mechanical College of Oklahoma, while not neglecting the culture features of education, makes a special effort to qualify students to *do things* in life, and emphasizes the demands of the day for an industrial education.

An education which does not contemplate the practical things is incomplete.

The student should not only be taught to *think*, but should be taught to *do*.

More prominently than ever before, the requirements of existing conditions point to this idea as a distinctive feature in our educational work.

Our Territory is just at the beginning of a career full of hope, prophecy, promise and possibility. We should keep in the vanguard in the march of progress and not forget that ours is an industrial commonwealth and that no possible efforts should be spared to promote practical industrial education.

The Agricultural College is taking advanced positions along this line and accomplishing good results.

EXPERIMENT STATION.

This Station is one of the very useful factors in promoting the agricultural interests of the Territory.

As these interests increase, the real worth of the station becomes more apparent. It keeps the public in touch with the best up to date methods and developments through bulletins, correspondence, work in farmers' institutes and various other means employed to utilize the best discoveries and experiments along agricultural lines.

Your attention is respectfully called to the recommendations of the Director of the Station.

NORMAL SCHOOLS

The normal schools of the Territory are doing efficient work. The reports of the presidents of these institutions indicate a healthy growth and development in this branch of our educational system.

The policy of the commonwealth should be to develop as rapidly as conditions will permit the special feature of professional work in the normal schools. The desired goal cannot be reached at once, however. On account of conditions that naturally prevail in all young territories, more academic work is required than is desirable in schools of this character. But as our graded and high schools advance in influence and utility, the normal schools will be relieved of much of the work which is now being done by them, and will be given an oppor-

tunity to devote more of their energy to professional work—the real purpose of a normal school.

CENTRAL.

The last Assembly made an appropriation for a new normal school building at Edmond. The building has been erected and is now occupied. It is a splendid structure and has supplied a pressing demand on the part of the institution. In my judgment the Territory has never made a better investment in a public building than in this instance. While the building is neat, it is especially attractive on account of the amount of room furnished at a comparatively small outlay. The legislative appropriation was \$40,000, and the building was erected within the appropriation.

The total enrollment for 1903-1904, including normal and training department, was 852.

At the beginning of the present term, steps were taken to establish a manual training department, but insufficient equipments have prevented satisfactory development of this line of work.

NORTHWESTERN.

This institution has extended its course by adding another year. The President's report states that this has been done to improve the school from a professional as well as scholastic standpoint, and that the purpose has not merely been to build numerically but to secure as extensively as possible teachers who have completed a sufficient amount of academic work to qualify them to devote some time to professional training and thus equip themselves for teaching. A department in manual training has been established and is very satisfactory in results.

From November 30, 1903, to November 30, 1904, the records show that six hundred and sixty pupils had been enrolled.

The President states in his report that gymnasium and bathing facilities are lacking, and urges that some provision be made to meet the demand.

SOUTHWESTERN.

Since the adjournment of the Seventh Legislative Assembly, a new normal school building has been erected at Weatherford, and the school is now in progress. The building was not ready for occupancy until in February, 1904. It had been the purpose of the normal board to open the school in September, 1903; accordingly on the 15th day of that month the opening exercises were held in the First Congregational Church of Weatherford. In addition to the church, four store buildings were occupied as school rooms until the school building was ready for use in February following.

The entire enrollment of students for the first year was 327. The enrollment for the fall term up to November 30th, 1904, was 301. In his report, the President states that the school has not enough teachers to meet the demands and that additions to the faculty are necessary to meet future requirements.

DEAF AND DUMB INSTITUTE.

The Deaf and Dumb Institute, located at Guthrie, is doing commendable work in behalf of that class of children who without education would be practically helpless in the world. It is conducted on the contract system. A contract extending over a period of two years, dating the first day of October, 1904, and extending over a period of two years has been made between the Territory and H. C. Beamer.

Under this contract the Territory pays \$27.50 per month for each pupil for a term of ten months. This contract includes, board, lodging, clothing, medical treatment and education. The pupils are well cared for and are doing good work.

During the past year some needed improvements have been made and the facilities increased for adding to the comfort and convenience of these silent wards of the Territory.

AGRICULTURAL AND NORMAL UNIVERSITY AT LANGSTON.

This institution is maintained by the Territory for the education of the colored people. It is the desire of those having jurisdiction over it to promote industrial education and to make that line of work

one of the distinctive features of the school. While it is not the purpose of the board of regents to neglect any line of educational work that comes within the province of the school, yet it is believed that a demand for a practical, industrial education should be emphasized.

There were 287 pupils enrolled for the present term, up to November 30th. This is the largest enrollment that the school has ever had. It is especially large considering the fact that it is at the beginning of a school year.

During the past year a barn has been built and various other improvements made upon the farm which is maintained for the purpose of promoting practical education along agricultural lines.

The departments are as follows:

COLLEGIATE, NORMAL, INDUSTRIAL.

The industrial department embraces the mechanical, agricultural and domestic economy. In addition there are the elementary and college preparatory departments. The elementary embraces the grade work, from 5th to 10th grade, inclusive.

"LOBBIES."

The legislative "lobby" has been the center of attraction in many of the states for several years. The term as used in this connection does not refer to the citizen who appears before a legislative assembly to represent some cause and explain his requests, but makes no attempt to use unlawful influences; it applies to those who have personal schemes to promote and resort to almost all manner of unlawful expedients in an attempt to attain the desired results.

The people of the country have watched with increasing interest the war which has been going on against corruption in public affairs and they hail with delight that movement which appears to be the advance guard of a new era in American politics and government.

For years it has been the custom of designing persons to attend the sessions of legislative assemblies and attempt to secure legislation through means that are a menace to good government and a disgrace to civilization. The day has come when an example should be made of all

who attempt unlawful influences in the legislation and administration of the public affairs of the country, as well as of those who allow themselves to be influenced.

To allow these wrongs to go unpunished would be to continue to strike a vital blow at a government by the people. Just so long as questionable transactions are permitted, the young men of the country will form wrong ideas in regard to politics, public men and public affairs. Allow these unlawful practices to continue and the young men will be educated in the belief that success in public life only contemplates the end to be attained and not the means employed to reach it.

"The purification of politics is an iridescent dream" only as long as the people permit it to be so. The public mind all over the country is actively engaged in analyzing the problem of reform in civic affairs. A healthy sentiment is crystallizing and out of it will come higher ideals, purer politics, and better government. Oklahoma, never behind in any enterprise, should take her lawful position in the march of progress, and give the world an example worthy of imitation, by teaching all would-be-corrupters of public service that any attempt at wrongdoing will meet a merited rebuke by an application of the utmost rigor of the law.

The legislature will be sustained by public sentiment as well as by the Territory, in taking steps to protect itself against any unlawful outside influences.

CONCLUSION.

A great opportunity has fallen to the lot of this assembly. Knowing as I do its personnel, it would not be indulging in words of idle flattery for me to say that in my judgment the Eighth Legislative Assembly of Oklahoma can and will close our Territorial history by writing one of its very brightest pages, and by so doing inscribe a record upon an imperishable monument which will stand to the honor of the members of this body and an encouragement and inspiration to those who administer the affairs of the future State.

Very respectfully,

T. B. FERGUSON,

- Governor.

The purpose for which the joint session was called having been served, the President of the Council declared the session dissolved.

The House reconvened in regular session.

Mr. Bryan moved that the Governor's Message be ordered filed. Carried.

Mr. Gandy presented Joint Memorial No. 1, being a memorial to Congress regarding the passage of the Hamilton Statehood Bill.

To the Senate and House of Representatives, in Congress assembled:

The Legislature of the Territory of Oklahoma, at its first meeting, as the direct and immediate representative of the people, formally and earnestly memorialize the Congress of the United States to pass the Hamilton Statehood Bill, now pending before the United States Senate.

This Memorial represents the unanimous will of our people, regardless of party. We trust that this appeal will meet with immediate responsiveness, and that Oklahoma may secure merited Statehood.

Mr. Gandy moved that the rules be suspended and the Memorial adopted.

Roll call on the suspension of the rules: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Ingmire, Levy, Logan, McBride, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 18; nays, Bryan, Fuller, Hogg, Lydick, Maxwell, Noffsinger, Robinson, 7; absent: Jester, excused, 1.

The Speaker declared the rules suspended.

Mr. Gandy moved the adoption of the Memorial.

The roll call on the adoption of Joint Memorial No. 1:

Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 24; nays: Robinson, 1; absent: Jester, excused, 1.

The Speaker declared Joint Memorial No. 1 adopted.

Mr. Bryan moved that the Clerk be instructed to certify the Memorial as passed to Council at once. The motion carried.

JESSE B. NORTON,
Speaker.

THIRD DAY

Guthrie, Oklahoma Territory,

Thursday, January 12, 1905.

NO. SESSION.

FOURTH DAY

Guthrie, Oklahoma, Territory,

Friday, January 13, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with Mr. Gandy in the Chair.

Prayer was offered by the Chaplain.

The roll call showed all the members, except Mr. Jester, excused by the Speaker.

The minutes of the preceding day were read.

Mr. Lydick wished to have the aye and nay votes recorded in the minutes. On motion, the Chair appointed Mr. Daniels, Mr. Lydick, and Mr. Becker, as a committee to supervise the minutes.

Mr. Lydick, Chairman of Committee to supervise the minutes, reported:

Mr. Speaker:

The Committee inserted in the minutes the original report of the mileage committee, and the aye and nay votes on roll call of motion.

Mr. Ross wished the minutes to read Friday, February 13, instead of February 14.

Mr. Fuller wished to insert "joint council session dissolved."

On motion of Mr. Lydick, the report was adopted.

Mr. Maxwell moved that the vote by which the report of the Mileage Committee was adopted be reconsidered.

The Speaker stated that the ayes prevailed and that the motion would be reconsidered.

Mr. Lydick moved that the motion to reconsider be laid on the table. The motion was lost.

Mr. Fuller moved that the report of the Committee on Mileage be stricken from the minutes, and that the mileage as allowed by the Secretary of the Territory be inserted. The motion was carried.

Moved that the minutes as corrected, be read and approved. Carried.

Mr. Fuller moved that the Journal as read be approved. Carried.

Mr. Gandy retired and the Speaker took the Chair.

Mr. Ingmire wished to substitute the name of G. M. Parks as watchman, in place of Frank Fagan. Mr. Speaker ordered the clerk to make the change.

Mr. Speaker administered the oath of office to Claude B. Baker, secretary to the Speaker, C. W. Bugbee, assistant clerk, A. G. Crews, assistant clerk, G. M. Parks, watchman.

Memorial No. 1, as amended, by Council, was read. Mr. Ross asked to have the history of the Memorial read.

Mr. Maxwell moved that the House concur in the amendments. Carried unanimously.

The Committee on Rules reported:

Mr. Speaker:

Your Committee on Rules have the honor to report that we respectfully recommend the adoption of the following rules for the government of the House, of this, the Eight Legislative Assembly.

HOUSE RULES.

RULE 1.

Rule 1. The Speaker shall take the chair every day precisely at the hour to which the House shall have adjourned; shall immediately call the members to order and on the appearance of a quorum shall cause the journal of the preceding day to be read.

RULE 2.

Rule 2. He shall preserve order and decorum, and speak to "point of order" in preference to other members, and he shall decide questions of order subject to an appeal to the House by any one member.

RULE 3.

Rule 3. He shall rise to put a question, but may state it sitting.

RULE 4.

Rule 4. Questions shall be distinctly put in this form, to-wit: "Those in favor of (as the question may be) say Aye," and after the affirmative vote is expressed, "Those opposed say No." If the Speaker doubts, or a division be called for, the roll shall be called and the ayes and nays shall be recorded.

RULE 5.

Rule 5. The Speaker shall have the right to name any member to perform the duties of the chair, but such substitution shall not extend beyond adjournment. Provided, however, if the Speaker be absent or unable to act, the actions of the Speaker pro tem shall have the same validity as those of the Speaker of the House.

RULE 6.

Rule 6. All special committees shall be appointed by the Speaker unless otherwise especially directed by the House.

RULE 7.

Rule 7. In all cases of a call of the ayes and nays the Speaker shall vote; in other cases he shall not be required to vote, unless the House is equally divided, or unless his vote being given the minority

will make the division equal, and in case of such equal division the question shall be lost.

RULE 8.

Rule 8. All acts, addresses and joint resolutions shall be signed by the Speaker, and all writs, warrants and subpoenas issued by order of the House shall be under his hand and attested by the clerk.

RULE 9.

Rule 9. In case of any disturbance or disorderly conduct in the lobby the Speaker or Chairman of the Committee of the Whole House shall have the power to have the same cleared.

RULE 10.

Rule 10. The following shall be the order of business commencing at the morning session of each legislative day:

1. Prayer.
2. Calling the roll of members.
3. Reading and approval of the journal.
4. Business pending at the last previous adjournment.
5. Petitions to be offered.
6. Reports of Committees:
 - Ways and Means.
 - Judiciary.
 - Appropriations.
 - Education.
 - Railroad.
 - Private Corporations.
 - Other Committees.
7. Resolutions, petitions, memorials and other papers.
8. Introduction of bills.
9. Resolutions.
10. Messages and communications on Speaker's table.
11. Second reading and reference of bills.
12. General order.
13. Bills on third reading.

RULE 11.

Rule 11. When any member is about to speak in debate or deliver any matter to the House, he shall rise from his seat and respectfully address himself to the presiding officer, saying: "Mr. Speaker," and shall not proceed until he shall be recognized by the chair, and shall confine himself to the question under debate, and shall avoid personalities.

RULE 12.

Rule 12. When any member, in speaking or otherwise, transgresses the Rules of the House, the Speaker shall, or any member may, call him to order, in which case the member so called to order shall immediately sit down, but may be permitted, with leave of the House, to explain, and the House shall, if appealed to, decide the case, but without debate; if there be no appeal the decision of the Chair shall be submitted to.

If the decision be in favor of the member so called to order, he is at liberty to proceed; if the case requires it he shall be liable to the censure of the House.

RULE 13.

Rule 13. When two or more members happen to rise at once, the speaker shall designate the member entitled to speak.

RULE 14.

Rule 14. No member shall speak more than once on the same question without leave of the House, nor more than twice until every member wishing to speak shall have spoken. But in all cases the member in charge of a measure under consideration shall have twenty minutes in which to close the discussion before the vote is taken.

RULE 15.

Rule 15. While the Speaker is putting any question or addressing the House no one shall walk out or across the house, nor when a member is speaking shall members entertain private discourse, nor while a member is speaking shall any one pass between him and the Chair.

RULE 16.

Rule 16. No member shall vote on any question in the event of which he is personally interested, nor in any case where he was not

present when the question was put, unless the Speaker again states the question.

RULE 17.

Rule 17. Every member who shall be in the House when the question is put shall give his vote, unless the House for special reasons shall excuse him; but such members must ask to be excused before commencing to take a vote on the main question.

RULE 18.

Rule 18. When a motion is made and seconded it shall be stated by the Speaker, or, being in writing, it shall be passed to the desk and read aloud by the Clerk, before debated.

RULE 19.

Rule 19. Every motion except subsidiary or incidental motions shall be reduced to writing when the Speaker or any member desires it, but this exception shall not apply to motion to amend.

RULE 20.

Rule 20. All bills, resolutions, petitions, memorials or other papers shall be accompanied by the name of the member presenting the same, and also the number of the district he represents, and shall be in type-written form.

RULE 21.

Rule 21. After a motion is stated by the Speaker or read by the Clerk, it shall be deemed to be in possession of the House, but may be withdrawn by leave of the House.

RULE 22.

Rule 22. When a question is under debate no motion shall be received but to adjourn, to lie on the table, for the previous question, to postpone to a day certain, to commit or amend, to postpone indefinitely, which several motions shall have precedence in the order in which they are arranged, and no motion to postpone to a day certain, to commit or postpone indefinitely being decided shall again be allowed on the same day and at the same stage of the bill or proposition. A motion

to strike out the enacting clause of a bill shall have precedence of a motion to amend, and if carried shall be equivalent to its rejection.

RULE 23.

Rule 23. When a resolution shall be offered and a motion made to refer, and different committees shall be proposed, a question shall be taken in the following order: A Committee of the Whole House, a Standing Committee, and a Select Committee.

RULE 24.

Rule 24. A motion to adjourn shall always be in order, except when a member is speaking or the House voting.

RULE 25.

Rule 25. The previous question shall always be put in this form: "Shall the main question now be put?" It shall be admitted only when demanded by a majority of the members present, and its effect shall be to put an end to all debate and to bring the House to a direct vote upon amendments, and then upon the main question, except that the member in charge of the measure under consideration shall have twenty minutes in which to close the discussion before the vote is taken. On a motion for the previous question and prior to seconding the same, a call of the house shall be in order, demanded by five members; but after a majority have seconded such motion no call shall be in order prior to the decision of the main question.

RULE 26.

Rule 26. Motion to lie on the table, to adjourn and for the previous questions shall be decided without debate.

RULE 27.

Rule 27. When a question is postponed indefinitely it shall not again be acted upon during the session.

RULE 28.

Rule 28. Any member may call for a division of the question which shall be divided if it comprehends questions so distinct that one being taken away the rest may stand entire for the discussion of the

House; a motion to strike out being lost, shall preclude neither an amendment nor a motion to strike out and insert. A motion to strike out and insert shall be deemed indivisible.

RULE 29.

Rule 29. Motions and reports may be committed at the pleasure of the House.

RULE 30.

Rule 30. No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

RULE 31.

Rule 31. When a motion shall have been once made or carried in the affirmative or negative, it shall be in order for any member voting on the prevailing side to move for the reconsideration thereof on the same or succeeding day, and such motion shall take precedence to all other questions except a motion to adjourn.

RULE 32.

Rule 32. Resolutions, petitions, memorials and other papers addressed to the House shall be presented by the Speaker or a member in his place. A brief statement of the contents thereof shall verbally be made by the introducer and shall not be debated or decided on the day of their being first read, unless where the House shall direct otherwise, but shall lie on the table to be taken up in the order they were read.

RULE 33.

Rule 33. A proposition requesting information from the Governor, Secretary or any other territorial officer shall lie on the table one day for consideration, unless otherwise ordered by unanimous consent of the House, and all such propositions shall be taken up for consideration in the order in which they are presented immediately after the reports are called for from the select committees, and when adopted the Clerk shall cause the same to be delivered.

RULE 34.

Rule 34. Any five members, if the Speaker be in the chair, shall be authorized to compel the attendance of absent members.

RULE 35.

Rule 35. Upon calls of the House, or in taking the yeas and nays on any question, the names of the members shall be called alphabetically, except that "Mr. Speaker" shall be called last.

RULE 36.

Rule 36. No member shall be absent himself from the sessions of the House without leave, unless he be sick or unable to attend.

RULE 37.

Rule 37. Upon a call of the House the names of the members shall be called over by the Clerk and the absentees noted, after which the names of the absentees shall again be called over and the Sergeant-at-arms shall be directed by the Speaker to compel their attendance.

RULE 38.

Rule 38. No committee shall sit during the sitting of the House without special leave.

RULE 39.

Rule 39. A majority of the members shall constitute a quorum, and upon demand of any one member the "yeas and nays" shall be ordered. The member demand the "yeas and nays" shall rise for that purpose and his name shall be entered on the journal.

RULE 40.

Rule 40. The hour to which this house shall stand adjourned from day to day shall be ten o'clock a. m., and two o'clock p. m., unless otherwise ordered by the House.

RULE 41.

Rule 41. The standing committees shall be as follows:

1. Ways and Means, seven members.
2. Judiciary, seven members.
3. Criminal Jurisprudence, seven members.
4. Appropriations, seven members.
5. Railroads, seven members.
6. Education, seven members.

7. Regulation of Liquor Traffic, five members.
8. Agriculture, five members.
9. Municipal Corporations, seven members.
10. Asylums and Public Charities, seven members.
11. Compensation of Public Officers, five members.
12. Insurance, five members.
13. Banks and Banking, seven members.
14. Roads and Highways, five members.
15. Printing, seven members.
16. County and Township Organizations, seven members.
17. Penitentiary and Reformatory Institutions, seven members.
18. Public Lands, seven members.
19. Public Buildings, seven members.
20. Elections and Legislative Apportionments, seven members
21. Military, three members.
22. Engrossed bills, five members.
23. Rules, seven members.
24. Fish and Game, five members.
25. Manufactories and Home Industries, five members.
26. Private Corporations, five members.
27. Quarantine, seven members.
28. Medical and Sanitary, five members.
29. Federal Relations, five members.
30. Drainage and Irrigation, seven members.
31. Minority committees, five.

RULE 42.

Rule 42. Every bill shall be read on three separate days, provided that in case of emergency the House may by two-thirds vote of the members present, and not less than a majority of all the members elected (entered on the Journal), suspend the operation of this rule and at once pass the bill.

RULE 43.

Rule 43. The first reading of the bill shall be for information and if opposition be made to it the question is, "Shall this bill be rejected?" if no opposition be made or if the question to reject be negatived the bill shall go to its second reading without a question.

RULE 44.

Rule 44. Upon a second reading of a bill the Speaker shall refer it to its appropriate committee, unless otherwise ordered by the House.

RULE 45.

Rule 45. After a bill has been committed and reported back it shall be still considered on its second reading, after the amendment of committee has been read.

RULE 46.

Rule 46. After the commitment and the report thereof to the House, or at any time before its passage, a bill may be recommitted.

RULE 47.

Rule 47. All bills to be engrossed shall be executed in a fair round hand or typewritten form.

RULE 48.

Rule 48. No amendment shall be received to any bill on its third reading, and no bill shall be placed upon its third reading without having been referred to the Committee of the Whole House, except as provided by Rule 42.

RULE 49.

Rule 49. When a bill shall pass it shall be certified by the Clerk noting the day of its passage at the foot thereof.

RULE 50.

Rule 50. No standing rule or order of the House shall be rescinded or changed, without one day's notice being given of the motion therefor nor shall any rule be suspended except by a vote of at least a majority of the Whole House, nor shall the order of business as established by the Rules of the House be postponed or changed except by a vote of at least a majority of the Whole House.

RULE 51.

Rule 51. It shall be in order for the Committee on Enrolled Bills to report at any time.

RULE 52.

Rule 52. All bills, memorials, or joint resolutions reported from any standing or select committee, with the recommendation that they do pass, shall be printed and a copy furnished each member of the House, unless otherwise ordered by the House.

RULE 53.

Rule 53. When any matter is referred to the standing committee by a motion of any member, it shall be the duty of the Chairman of such Committee to notify such member of the time of the sitting, upon such matter referred, and such member shall be permitted to confer with such Committee during the consideration of such matter, but no one not a member of the Committee shall be present when the final vote is taken on any matter under consideration.

RULE 54.

Rule 54. No committee shall retain possession of any bill longer than five days, except by consent of the House and at any time after said five days the Committee may be required to report said bill by order of the Speaker, upon request of any member of the House, provided, that the foregoing rule shall not apply to the Committee on Appropriations.

RULE 55.

Rule 55. The rules of Parliamentary practice, comprised in Roberts' Rules of Order, shall govern the House in all cases where they are not inconsistent with standing rules of this House and the Joint rules of both Houses, and not inconsistent with the Statutes of Oklahoma.

RULE 56.

Rule 56. Joint resolutions shall not be required to be framed or treated as a bill, but shall be subject to the rules pertaining to ordinary and concurrent resolutions.

RULE 57.

Rule 57. The Chairman of a Committee to which the bill is referred shall note thereon the date of its reference, and it shall be the duty of each committee to report back all bills in its hands within

five days after the order of reference, unless longer time is granted by order of the House. And such a report to be in typewritten order.

RULE 58.

Rule 58. A majority shall constitute a quorum of each standing Committee.

RULE 59.

Rule 59. When a Committee is called the Chairman of such Committee shall be considered as having the floor until the next Committee shall be called.

RULE 60.

Rule 60. No member or officer of the House shall be permitted to read newspapers within the bar of the House while the Journal is being read, nor shall any person be permitted to smoke on the floor of the House or in the galleries at any time during the session of the House.

RULE 61.

Rule 61. No one shall be admitted to the floor of the House except members and ex-members of both Houses of the Legislature; employees in the performance of their duties, officers of the Territorial Government and their families, Judges of the Supreme, District and Probate Courts and their families, the families of the members of the House, and any person upon the invitation of any member. Provided, also, that the authorized representatives of the press shall be admitted to the reporters' table.

RULE 62.

Rule 62. That the Clerk of the House shall provide and prepare a calendar of all bills, showing the House and Council bills upon third reading, bills on second reading reported from Committees, bills in hands of Committees, together with date of reference, a copy of which calendar shall be furnished each member upon the morning of each Legislative day.

RULE 63.

Rule 63. When an order of business "General Order" is reached the House shall go into Committee of the Whole to consider, in their

order, bills upon the calendar but no bill upon the calendar shall be substituted for the one under consideration.

RULE 64.

Rule 64. In forming Committees of the Whole House the Speaker shall leave his chair, and the Chairman to preside in Committee shall be appointed by the Speaker.

RULE 65.

Rule 65. Bills committed to the Committee of the Whole House shall be first read throughout by the Clerk or Chairman and then read again, or debated by clauses, leaving the preamble to be last considered. After report the bill shall be again subject to be debated and amended by clauses before a question to engross be taken.

RULE 66.

Rule 66. All amendments made to an original motion in Committee shall be incorporated in a motion and so reported.

RULE 67.

Rule 67. All amendments made to a report committed to the Committee of the Whole House shall be noted and reported as in case of bills.

RULE 68.

Rule 68. In filling up blanks in a Committee of the Whole House, in the House, the largest sum, the longest time and the highest number shall be first put.

RULE 69.

Rule 69. The rules of the House shall be observed in Committee of the Whole House as far as they are applicable.

RULE 70.

Rule 70. It shall be the duty of the Chief Enrolling Clerk to enroll, or caused to be enrolled, in a legible and fair, round hand, or in typewriter form, without erasure or interlineation, and subject to the approval of the Committee on Enrolled Bills, all House Bills and Joint Resolutions which have been passed by both Houses. And it shall be

the duty of the Chief Enrolling and Engrossing Clerk to see that all conversation is suppressed in the enrolling and engrossing room, and he shall not permit any person other than his assistants and members of the House to enter the Enrolling and Engrossing room at any time for any purpose, and that the said Clerk shall have complete charge, control and direction of the said enrolling and engrossing room.

RULE 71.

Rule 71. That it is the duty of the Chief Clerk to call the roll of his staffs at nine o'clock A. M., of each Legislative day. It is also the duty of the Sergeant-at-Arms to call the roll of his staff and Janitors at nine o'clock A. M., each Legislative day and report the absentees to the Chief Clerk before ten o'clock A. M. of said day. It shall be the duty of the Chief Enrolling and Engrossing Clerk to call the roll of his assistants at the Enrolling Clerks' room at nine o'clock A. M., of each Legislative day and report the absentees to the Chief Clerk of the House before the hour of ten o'clock A. M., of each Legislative day. The Chief Clerk at the roll call of the House shall announce the absentees. Any employee or officer of the House failing to answer to the roll twice in succession without good cause shown shall be discharged and the vacancy so declared shall be filled by the House.

JOINT RULES.

RULE 1.

Rule 1. Each house shall, as soon as organized, report that fact to the other House; and the two Houses shall, by joint committee, inform the Governor that they are ready to receive any communication that he may have to make.

RULE 2.

Rule 2. In joint convention of the two Houses the President of the Council shall preside.

RULE 3.

Rule 3. It shall be in the power of either House to amend any amendment made by the other to any bill or resolution. And that such amendment to the amendment be in typewritten form.

RULE 4.

Rule 4. Whenever either House shall amend a measure, and the other House shall refuse to concur in and adopt the amendment, the House which has adopted such an amendment shall then insist on or recede from the same. In case a motion to insist on the amendment be decided in the negative, such action shall be deemed a receding from the amendment, and so entered on the Journal of such House. In case the amendment is insisted upon, the House so insisting shall request a committee of conference on the subject of disagreement, and shall appoint a committee therefor. The other House shall thereupon appoint such committee. Unless another number is specified in said request, such committee shall consist of three members from the House and three from the Council. They shall meet at a convenient time, to be agreed upon by their Chairman, and, having conferred freely, each shall report to its respective House the result of their conference. In case of agreement, the report shall be first made, with the papers referred accompanying it, to the House which refused to concur, and there acted upon; and such action shall be immediately reported by the Secretary or Clerk to the other House, the papers referred accompanying the message. In case of disagreement of Conference Committee, the papers shall remain with the House which insisted on the amendment. The agreeing report of a Conference Committee shall be made, read, and signed in duplicate by all members of the committee, or by a majority of those of each House. Should either House disagree to the report of the Committee, such House shall appoint a second committee and request a further conference, which shall be acceded to by the other House before adhering. The motion for a Committee of Conference and the report of such committee shall be in order at any time. When both Houses shall have adhered to their disagreement, a bill or resolution is lost.

RULE 5.

Rule 5. When a message shall be sent from one House to the other, it shall be announced at the door of the House to which it is sent, by the doorkeeper thereof, and shall be respectfully communicated to the Chair by the person by whom it is sent.

RULE 6.

Rule 6. All messages between the two Houses shall be communicated by the Chief Clerk through the Messenger or his assistants.

RULE 7.

Rule 7. When a bill shall have passed both Houses, it shall be duly enrolled by the Enrolling Clerk of the House in which it originated, and the fact of its origin shall be certified by the endorsement of the Clerk thereof.

RULE 8.

Rule 8. When the bills are enrolled, they shall be examined by the Committees on Enrolled and Engrossed Bills of the Council and House acting jointly, who shall carefully compare the enrollment with the engrossed bills as passed in the House, correct any errors thereon, and make report forthwith to their respective Houses; which report shall be signed by the Chairman of said Committee from each House.

RULE 9.

Rule 9. After the report, each bill shall be signed, first by the Speaker of the House and then by the President of the Council, in the presence of their respective Houses.

RULE 10.

Rule 10. After the bill shall have been thus signed in each House, it shall be forthwith presented by said Committee to the Governor for his approval, and they shall forthwith report the day of presentation, which shall be entered on the Journal of the House in which the bill originated.

RULE 11.

Rule 11. All orders, resolutions, memorials, or other votes which are presented to the Governor for his approval shall be enrolled, examined, signed and presented in the same manner as bills.

RULE 12.

Rule 12. When any bill, resolution or memorial, which shall have passed in one House, is rejected or adopted in the other, notice of such action shall be given the House which passed the same. And each bill, resolution or memorial shall have properly endorsed thereon, at the time of transmission, a statement signed by the Clerk of the action which has been taken thereon by the House transmitting the same, with the dates thereof.

RULE 13.

Rule 13. When a bill, resolution or memorial shall have passed one House and is rejected in the other, it shall not again be introduced during the session without five day's notice and leave of a majority of all the members elected to the House in which it is sought to re-introduce that bill or resolution.

RULE 14.

Rule 14. Each House shall transmit to the other, with any bill, resolution or memorial, all papers upon which the same shall be founded.

RULE 15.

Rule 15. When any report, bill, or resolution, shall be ordered printed by either House, without stating the number, fifty copies shall be printed for the use of both Houses, but then any bill or resolution which may have passed one House is ordered printed by the other, a greater number of copies shall not be printed than fifty.

RULE 16.

Rule 16. It shall be the duty of the Chief Clerk of the House of Representatives, and the Clerk of the Council, when any document except bills and resolutions, is ordered to be printed in their respective Houses, forthwith to communicate such order to the other House.

RULE 17.

Rule 17. In all elections, in Joint Convention, of the two Houses, the names of all the members shall be arranged in alphabetical order, and they shall be called upon to vote in the order in which they stand arranged.

RULE 18.

Rule 18. It shall be the duty of the Committee on Claims in each House to keep a book or records, in which shall be entered each claim for money against the Territory referred to them when presented in favor of private persons, or municipal or other corporations, entering there the name of the claimant, the amount of the claim and the grounds thereof, with a note of the evidence offered in support of the same, and the final conclusion of the Committee thereon. At the close of the session, said book or record shall be deposited with the Auditor of the Territory to be kept by him; and he shall provide an index, showing the name of the claimants recorded therein. At any subsequent session the same shall be delivered, when desired, to the like committee having jurisdiction on such claims, and shall always be open to the examination of said committee of either House.

RULE 19.

Rule 19. The Chief Clerk of the House and the Chief Clerk of the Council shall endorse on every bill and joint or concurrent resolution, respectively, a brief history of such bill or resolution, introduced or coming into their respective Houses, showing when and by whom the bill was introduced or when received, its several readings and references, when reported and the recommendations, the fact of amendment, (if amended) its engrossment, final reading and disposition thereof, stating the number of ayes and the number of nays thereon. The Chief Clerk and Secretary shall respectively sign such history of the bill or resolution in the House, before he transmits it to the other House.

RULE 20.

Rule 20. When amendments are made in one House to a bill or joint resolution originating in the other, or where amendments are made in

one House to amendments made in the other, it shall require a vote of a majority of all the members elected to either House, on a call of yeas and nays, to adopt said amendment on its final passage.

RULE 21.

Rule 21. In joint convention of the two Houses, the previous question shall be in the usual form, and when sustained by a majority of the members present, it shall cut off all debate or amendment, and bring the convention to a direct vote; but the vote shall be taken on all pending amendments in their order, until the main question is reached.

RULE 22.

Rule 22. When a bill proposes to amend any section, chapter or act, the title shall read as follows: "An Act Relating to and Amendatory of Section of Chapter of the Statutes of Oklahoma," filling the blanks with the proper subjects, section and chapter.

RULE 23.

Rule 23. When a bill proposes to repeal any section, chapter, or act, and has no other object, the title shall be as follows: "An Act to Repeal Section Chapter of the Statutes of Oklahoma, Relating to" filling the blanks with the proper subject, section, or chapter.

RULE 24.

Rule 24. Bills that have passed one House and are upon their third reading in the other House shall have precedence over bills originated in that House.

RULE 25.

Rule 25. Whenever these rules are inapplicable, Roberts' Rules shall govern.

RULE, 26.

Rule 26. These rules may be changed or suspended by concurrent resolution, on a vote of two-thirds of the members present in each House.

C. R. ALEXANDER,
Chairman on the Part of the Council.

E. J. MURPHY,
L. G. NIBLACK,

J. P. BECKER,
Chairman on the Part of the House.

JOHN J. GAYMAN,
W. W. NOFFSINGER,
SCOTT FERRIS,
O. J. LOGAN.

Mr. Ross moved that the Rules be adopted. Carried.

Mr. Speaker announced as Committee on Joint Rules, J. P. Becker, John J. Gayman, W. W. Noffsinger, Scott Ferris, O. J. Logan.

Mr. Speaker announced these standing Committees:

WAYS AND MEANS—Dyke, Ballinger, Chairman; J. P. Gandy, J. P. Becker, A. McBride, Scott Ferris, T. M. Robinson, R. R. Fuller.

JUDICIARY—W. W. Noffsinger, Chairman; Dyke Ballinger, J. P. Becker, W. Taylor, J. D. Lydick, O. J. Logan, T. M. Robinson.

CRIMINAL JURISPRUDENCE—J. P. Becker, Chairman; A. J. Ross, W. W. Noffsinger, W. N. Walker, Scott Ferris, J. D. Lydick, Milton Bryan.

EDUCATION—A. J. Ross, Chairman; B. B. Bone, J. P. Becker, John J. Gayman, I. B. Levy, J. D. Lydick, W. A. Maxwell.

APPROPRIATIONS—J. P. Becker, Chairman; A. McBride, A. J. Ross, W. W. Noffsinger, J. D. Lydick, W. A. Maxwell, J. A. Jester.

RAILROADS—Wesley Taylor, Chairman; John Ingmire, Dyke Ballinger, Frank Prouty, I. B. Levy, O. J. Logan, J. T. Craig.

REGULATION OF THE LIQUOR TRAFFIC—John J. Gayman, Chairman, John Ingmire, W. N. Walker, R. R. Fuller, David Hogg.

MUNICIPAL CORPORATIONS—Clarence E. Woods, Chairman; B. B. Bone, Wesley Taylor, W. W. Noffsinger, I. B. Levy, R. R. Fuller, Milton Bryan.

ASYLUM AND PUBLIC CHARITIES—W. W. Daniels, Chairman; J. P. Gandy, W. N. Walker, R. R. Fuller, J. A. Jester.

AGRICULTURE—John Ingmire, Chairman; C. E. Woods, Frank Prouty, J. A. Jester, David Hogg.

COMPENSATION OF PUBLIC OFFICERS—A. McBride, Chairman; W. W. Noffsinger, Frank Prouty, Milton Bryan, O. J. Logan.

INSURANCE—Wesley Taylor, Chairman; John Ingmire, A. McBride, Scott Ferris, T. M. Robinson.

BANKS AND BANKING—W. N. Walker, Chairman; John Ingmire, J. P. Becker, J. D. Lydick, John J. Gayman, J. T. Craig, David Hogg.

ROADS AND HIGHWAYS—W. W. Daniels, Chairman; B. B. Bone, David Hogg, C. E. Wood, J. T. Craig.

PRINTING—Frank Prouty, Chairman; A. McBride, W. N. Walker, W. A. Maxwell, C. E. Wood, O. J. Logan, J. T. Craig.

COUNTY AND TOWNSHIP ORGANIZATION—A. J. Ross, Chairman; J. P. Gandy, Frank Prouty, O. J. Logan, W. W. Daniels, R. R. Fuller, I. B. Levy.

PENITENTIARY AND REFORMATORY—B. B. Bone, Chairman; A. J. Ross, Dyke Ballinger, Scott Ferris, Frank Prouty, J. A. Jester, J. T. Craig.

PUBLIC LANDS—John Gayman, Chairman; J. P. Becker, C. E. Woods, W. A. Maxwell, John Ingmire, Scott Ferris, T. M. Robinson.

PUBLIC BUILDINGS—J. P. Gandy, Chairman; John Gayman, J. P. Becker, O. J. Logan, A. J. Ross, I. B. Levy, David Hogg.

ELECTIONS AND LEGISLATIVE APPORTIONMENTS—A. McBride, Chairman; B. B. Bone, W. W. Noffsinger, J. D. Lydick, Dyke Ballinger, Milton Bryan, W. A. Maxwell.

MILITARY—John Ingmire, Chairman; Wesley Taylor, J. A. Jester, Frank Prouty, T. M. Robinson.

ENGROSSED BILLS—B. B. Bone, Chairman; A. J. Ross, T. M. Robinson, J. P. Gandy, Milton Bryan.

FISH AND GAME—Frank Prouty, Chairman; W. W. Daniels, R. R. Fuller, W. N. Walker, J. D. Lydick.

MANUFACTURES, HOME INDUSTRY—Dyke Ballinger, Chairman; A. McBride, I. B. Levy, J. P. Gandy, David Hogg.

PRIVATE CORPORATIONS—W. W. Noffsinger, Chairman; J. P. Becker, W. W. Daniels, I. B. Levy, Dyke Ballinger, J. T. Craig, J. D. Lydick.

QUARANTINE—W. N. Walker, Chairman; Wesley Taylor, A. J. Ross, Scott Ferris, J. P. Gandy, I. B. Levy, W. A. Maxwell.

SANITARY AFFAIRS—C. E. Woods, Chairman; B. B. Bone, J. T. Craig, W. Taylor, J. A. Jester.

DRAINAGE AND IRRIGATION—J. P. Gandy, Chairman; John J. Gayman, A. McBride, O. J. Logan, Dyke Ballinger, R. R. Fuller, Milton Bryan.

FEDERAL RELATIONS—Wesley Taylor, Chairman; John Ingmire, W. A. Maxwell, W. A. Walker, J. D. Lydick.

MINORITY—W. A. Maxwell, Chairman; I. B. Levy, Scott Ferris, David Hogg, J. T. Craig.

RULES—J. P. Becker, Chairman; John J. Gayman, Scott Ferris, W. W. Noffsinger, O. J. Logan.

Mr. Prouty moved that the Clerk be instructed to purchase \$3.00 worth of postage stamps for each member of the House, and a bill to be made against the Territory, for the same. Carried.

Mr. Fuller moved that when the House adjourn it adjourn to 2 o'clock, P. M. Monday, January 16, 1905. Carried.

The House adjourned upon motion of Mr. Woods.

JESSE B. NORTON,
Speaker.

7'
HOUSE JOURNAL.

FIFTH DAY

Guthrie, Oklahoma Territory,

Saturday, January 14, 1905.

NO SESSION.

SIXTH DAY

Guthrie, Oklahoma Territory,

Sunday, January 15, 1905.

NO SESSION.

SEVENTH DAY

Guthrie, Oklahoma Territory,

Monday, January 16, 1905.

AFTERNOON SESSION.

The House convened at 2 o'clock P. M. the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present, except Mr. Ballinger, Mr. McBride, Mr. Noffsinger and Mr. Woods. The absent members were excused by the Speaker. The Journal of January 13 was approved.

Mr. Lydick moved to dispense with the reading of the rules.

The motion carried and the Speaker ordered the reading of the rules to be omitted.

Mr. Becker, Chairman of Committee on Joint Rules, offered the following report:

Mr. Speaker:

We recommend that the joint rules of the Eighth Legislative Assembly be the same as the joint rules of the Seventh Legislative Assembly, with the following changes:

That in Rule Three, after the word "resolution" the following words be added, "and that such amendment to the amendment be in type-written form."

This committee also recommends that in Rule Fifteen the words "one hundred" be changed to "fifty" immediately preceding the word "copies," and that in said Rule Fifteen the last words therein "one hundred," be stricken out and the word "fifty" inserted.

Mr. Gandy moved that the report of the Joint Committee on Rules be accepted. The motion carried, and the Speaker ordered that the report be accepted.

Mr. Becker offered House Concurrent Resolution No. 2.

Be It Resolved, By the Eighth Legislative Assembly of Oklahoma Territory, That it is the sense of this Assembly that any and all printing to be done for this Assembly, be let to the lowest and best bidder, with due regard to the kind of work required, the time allotted for finishing and completing the same, and nature of work desired.

Mr. Ferris offered Joint Memorial No. 2.

To the Congress of the United States of America:

We, the members of the Eighth Legislative Assembly, assembled in our Territorial Capital in Guthrie, Oklahoma, hereby petition, request, entreat and memorialize your Honorable Body, and each of you, at your earliest possible convenience, to pass an act opening to settlement, on such terms and conditions as Congress may, in its wisdom, deem advisable, the following reservations of public lands, to-wit:

First: The Indian Pasture Reservation, Comanche County, Oklahoma.

Second: The Wood Reserve, Comanche County, Oklahoma.

Third: The Grazing Land Reservation, Comanche County, Oklahoma.

Fourth: The Grazing Land Reservation, Caddo County, Oklahoma.

Fifth: The Grazing Land Reservation, Kiowa County, Oklahoma.

The above and foregoing Reservations, consisting of five public land reserves, the same being and situate in the Counties of Comanche, Caddo and Kiowa, respectively, as above set out.

Be it further resolved, that copies of the above and foregoing memorial be immediately transmitted to both Houses of Congress and to the Honorable B. S. McGuire.

It was moved and seconded that the rules be suspended and that Memorial No. 2 be placed upon its passage. Motion carried.

A motion to adopt the joint memorial was put and the vote was as follows:

Ayes: Bone, Bryan, Becker, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; nays: 0; absent, Ballinger, McBride, Noffsinger, Woods, 4.

The Speaker declared the memorial adopted.

Mr. Ingmire introduced Joint Memorial No. 3, which was read.

Whereas, the great Louisiana Centennial Exposition is closed, and is now passing into history as the most gigantic and wonderful display of the world's products ever held, and

Whereas, Oklahoma, the infant child of the said Louisiana Purchase, has received the highest of honor and the largest number of prizes for her age and size (outclassing all of the older and larger children of such purchase), and

Whereas, the people of this magnificent Territory are all proud of the splendid record made for us at the said exhibition, therefore, be it

Resolved, That the thanks of the Eighth Legislative Assembly of the Territory of Oklahoma be extended to J. Meibergen, President; Otto A. Shuttee, Treasurer; Edward Marchant, Secretary; Fred L. Wenner, Ex-Secretary of the Oklahoma Commission, and to all the employees of the said Commission for the able and faithful manner in which they executed their several trusts.

Upon motion of Mr. Gandy, the rules were suspended and the Memorial placed upon its adoption. The roll call upon adoption was:

Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; nays: 0; absent: Ballinger, McBride, Noffsinger, Woods, 4.

The Memorial was declared adopted.

Mr. Ross moved that the rules be suspended and that Concurrent Resolution No. 2 be placed upon its adoption. The motion carried and the rules were suspended.

Upon roll call the vote was as follows:

Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; nay: 0; absent: Ballinger, McBride, Noffsinger, Woods, 4.

The resolution was adopted.

Mr. Bryan asked that the House Concurrent Resolution No. 2 be read which was done.

On motion of Mr. Ross, the rules were suspended and Concurrent Resolution No. 2 was placed on its final passage.

Upon roll call the vote was as follows:

Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; nays, 0; absent: Ballinger, McBride, Noffsinger, Woods, 4.

The resolution was adopted on the part of the House.

The following bill was introduced, read the first time and passed to its second reading:

House Bill No. 1, by Mr. Gandy.

Moved by Mr. Gandy that the rules be suspended and that the bill be passed to its second reading. Upon roll call the vote was:

Ayes: Becker, Bone, Daniel, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 19; nays: Bryan, Craig, Lydick, 3; absent: Ballinger, McBride, Noffsinger, Wood. The motion was declared carried.

Mr. Ferris, Mr. Jester and Mr. Levy asked that their votes be changed to aye on the record though they had first answered no to the roll call, and they were so ordered to be written.

House Bill No. 1, by Mr. Gandy was read and referred to the Committee on County and Township Organization.

By unanimous consent the following bills were introduced, read the first time and passed to second reading:

House Bill No. 2, by Mr. Bone.

House Bill No. 3, by Mr. Daniels.

House Bill No. 4, by Mr. Maxwell.

House Bill No. 5, by Mr. Maxwell.

House Bill No. 6, by Mr. Maxwell.

House Bill No. 7, by Mr. Maxwell.

House Bill No. 8, by Mr. Taylor.

House Bill No. 9, by Mr. Prouty.

House Bill No. 10, by Mr. Prouty.
House Bill No. 11, by Mr. Prouty.
House Bill No. 12, by Mr. Logan.
House Bill No. 13, by Mr. Logan.
House Bill No. 14, by Mr. Logan.
House Bill No. 15, by Mr. Lydick.
House Bill No. 16, by Mr. Levy.
House Bill No. 17, by Mr. Levy.
House Bill No. 18, by Mr. Ferris.
House Bill No. 19, by Mr. Becker.
House Bill No. 20, by Mr. Fuller.
House Bill No. 21, by Mr. Fuller.
House Bill No. 22, by Mr. Ingmire.
House Bill No. 23, by Mr. Bryan.
House Bill No. 24, by Mr. Bryan.
House Bill No. 25, by Mr. Gayman.
House Bill No. 26, by Mr. Gandy.

A message from the Council Printing Committee requests the Speaker to excuse the House Printing Committee. The Speaker excused the Committee and they retired.

House Bill No. 27, by Mr. Taylor.
House Bill No. 28, by Mr. Taylor.
House Bill No. 29, by Mr. Ingmire.
House Bill No. 30, by Mr. Robinson.
House Bill No. 31, by Mr. Robinson.
House Bill No. 32, by Mr. Robinson.
House Bill No. 33, by Mr. Robinson.
House Bill No. 34, by Mr. Robinson.
House Bill No. 35, by Mr. Robinson.
House Bill No. 36, by Mr. Bryan.
House Bill No. 37, by Mr. Gayman.
House Bill No. 38, by Mr. Becker.
House Bill No. 39, by Mr. Taylor.

Mr. Gandy moved that the rules be suspended and that the bills be passed to their second reading and be referred to their proper Committee.

The Speaker called Mr. Becker to the Chair and stated that he was opposed to the suspension of rules as had been followed today after which Mr. Gandy asked leave to withdraw his motion.

The Speaker took the Chair and there being no objection Mr. Gandy withdrew his motion.

The oath of office was administered to Mr. B. Mahoney as door-keeper.

A communication from Mrs. T. B. Ferguson inviting all the members of the House, and their wives, to attend a dinner at their home on the 19th. instant, was read by the Clerk.

On motion by Mr. Bryan the invitation was accepted and the thanks of this body tendered by Mrs. Ferguson.

A communication was read by the Clerk inviting the members to attend a Jubilee Celebration on the 20th instant, to be given by the Trustees of the Congregational College at Kingfisher. On motion by Mr. Gandy the same was ordered placed on file.

The Speaker was requested to assign the sub-heads of the Governor's Message to different committees.

The House adjourned until 10 o'clock A. M., January 17, 1905.

JESSE B. NORTON,
Speaker.

EIGHTH DAY

Guthrie, Oklahoma Territory,

Tuesday, January 17, 1905.

MORNING SESSION.

The House met pursuant to adjournment, with the Speaker in the Chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Noffsinger, excused.

The Journal of the Seventh day was read, corrected and approved.

The Committee on County and Township Organization reported:

Mr. Speaker:

The Committee on County and Township Organization of the House, having had under consideration House Bill No. 1, entitled "An Act relating to Herd Law, and amending Section 37, and repealing Section 38, of Article 1, Session Laws of 1903, report it back to the House, with recommendation that the same do pass.

A. J. ROSS,
Chairman.

Mr. Gandy moved that the report of the committee be adopted. The report was adopted.

The following bills were introduced, read the first time and passed to their second reading:

House Bill No. 40, by Mr. Gandy.

House Bill No. 41, by Mr. Ross.

House Bill No. 42, by Mr. Ross.

House Bill No. 43, by Mr. Ross.

House Bill No. 44, by Mr. Ross.
 House Bill No. 45, by Mr. Ross.
 House Bill No. 46, by Mr. McBride.
 House Bill No. 47, by Mr. Bone.
 House Bill No. 48, by Mr. Ballinger.
 House Bill No. 49, by Mr. Ballinger.
 House Bill No. 50, by Mr. Ballinger.
 House Bill No. 51, by Mr. Bryan.
 House Bill No. 52, by Mr. Bryan.
 House Bill No. 53, by Mr. Hogg.
 House Bill No. 54, by Mr. Taylor.
 House Bill No. 55, by Mr. Ferris.
 House Bill No. 56, by Mr. Levy.
 House Bill No. 57, by Mr. Ballinger.
 House Bill No. 58, by Mr. Walker.
 House Bill No. 59, by Mr. Fuller.
 House Bill No. 60, by Mr. Fuller.

Mr. Fuller moved that the rules be suspended and House Bill No. 60 be placed upon its second reading.

Upon roll call the vote was as follows: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 25; absent, Noffsinger, 1.

Mr. Ross offered House Resolution No. 3.

Be It Resolved, That the compensation of the House employees and number of committee clerks and compensation of same, be as follows, to-wit:

Reading Clerk, \$5.00 per day.

All assistants to Chief Clerk, \$4.00 per day, except First Assistant Chief Clerk, who shall receive \$5.00 per day.

All Assistant Enrolling and Engrossing Clerks, \$4.00 per day.

All Assistant Sergeant-at-arms, \$3.00 per day.

House Stenographer, \$5.00 per day.

Chaplain, \$1.50 per day. (Deficiency.)

All Watchmen, \$3.00 per day.

All Door-keepers, \$3.00 per day.

All Janitors, \$3.00 per day.

All Pages, \$1.50 per day.

Private Secretary to Speaker, \$5.00 per day.

The various Clerks of the following Committees, who furnish typewriters and operate the same, to receive \$4.00 per day; all other Committee Clerks to receive \$3.50 per day:

Ways and Means, Judiciary, Criminal Jurisprudence, Education, Appropriations, Federal Relations, Municipal Corporations, Public Officers, Roads and Highways, Printing, Public Lands, Public Buildings, Engrossed Bills, Quarantine, Agriculture, Minority.

Clerk for Minority Committee to receive \$4.00 per day.

Be It Further Resolved, That the Speaker appoint two additional pages.

Mr. Becker moved that the rules be suspended and that House Resolution No. 3 be adopted.

Upon roll call the vote was as follows: Ayes: Mr. Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg; Ingmire, Jester, Levy, Logan, McBride, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 22; nays: Lydick, Maxwell and Robinson, 3; absent, 1.

Mr. Lydick offered a substitute in place of House Resolution No. 3, as follows:

That where in said resolution the term "\$4.00" appears, the term "\$3.00" be inserted in lieu thereof, and that where in said resolution the term "\$3.50" occurs, the term "\$3.00" be inserted in lieu thereof.

Mr. Logan moved to table Mr. Lydick's substitute, which motion carried, and it was ordered to lie.

A messenger from the Council was announced who returned House Joint Memorials Nos. 1 and 2.

A messenger from the Council was announced who brought Council Joint Memorials Nos. 1 and 2, and Council Bill No. 1.

Mr. Ballinger wished to have his vote of the seventh day recorded aye on House Joint Memorials Nos. 2 and 3.

Mr. Maxwell moved and Mr. Lydick seconded to strike Council Joint Memorial No. 1 from the Calendar. The motion was carried.

Council Joint Memorial No. 2 and Council Bill No. 1 were read by the Clerk.

The Speaker announced to the standing Committees the sub-heads of the Governor's Message as follows:

To the Committee on Ways and Means:

Territorial Officers,
Auditor's Department,
Territorial Treasurer,
Territorial Depository,
Oil Inspection,
Board of Dental Examiners,
Board of Pharmacy,
Board of Osteopathic Examiners,
Lobbies.

To the Appropriation Committee:

Appropriations,
County and Township Organization,
Herd Law.

To the Quarantine Committee:

Quarantine Laws,
Livestock and Sanitary Commission.

To the Fish and Game Committee:

Game Laws.

To the Roads and Highways Committee:

Good Roads.

To the Public Land Committee:

School Land Department.

To the Committee on Public Buildings:

Penitentiary,

Penitentiary and Reformatories.

To the Committee on Asylums and Public Charities:

Care of the Insane.

To the Committee on Banks and Banking:

Bank Companies.

To the Military Committee:

National Guard.

To the Committee on Agriculture:

Board of Agriculture,

Grain Inspection.

To the Judiciary Committee:

Attorney General.

To the Sanitary Committee:

Board of Health.

To the Committee on Education:

Territorial Library,

Public Schools,

Historical Society,

University.

University Preparatory,

Agricultural and Mechanical College,

Experiment Station,

Normal Schools, Central, Northwestern, Southwestern.

Deaf and Dumb Institution.

Agricultural Normal, University at Langston.

The following bills were read the second time and referred to committees:

House Bill No. 2, Committee on Quarantine.

House Bill No. 3. Compensation of Public Officers.

- House Bill No. 4, Private Corporations.
- House Bill No. 5, Judiciary.
- House Bill No. 6, Judiciary.
- House Bill No. 7, Education.
- House Bill No. 8, Quarantine.
- House Bill No. 9, Elections and Legislative Apportionments.
- House Bill No. 10, Private Corporations.
- House Bill No. 11, Roads and Highways.
- House Bill No. 12, Judiciary.
- House Bill No. 13, Municipal Corporations.
- House Bill No. 14, Judiciary.
- House Bill No. 15, Municipal Corporations.
- House Bill No. 16, Municipal Corporations.
- House Bill No. 17, Criminal Jurisprudence.
- House Bill No. 18, Ways and Means.
- House Bill No. 19, Municipal Corporations.
- House Bill No. 20, Fish and Game.
- House Bill No. 21, Education.
- House Bill No. 22, Banks and Banking.
- House Bill No. 23, Elections and Legislative Apportionment.
- House Bill No. 24, Quarantine.
- House Bill No. 25, Ways and Means.
- House Bill No. 26, Ways and Means.
- House Bill No. 27, Education.
- House Bill No. 28, Judiciary.
- House Bill No. 29, Education.
- House Bill No. 30, Agriculture.
- House Bill No. 31, Criminal Jurisprudence.
- House Bill No. 32, Judiciary.
- House Bill No. 33, Criminal Jurisprudence.
- House Bill No. 34, Judiciary.
- House Bill No. 36, Education.
- House Bill No. 37, Criminal Jurisprudence.
- House Bill No. 38, Agriculture.
- House Bill No. 39, Judiciary.

Mr. Robinson asked to be relieved from the Judiciary Committee. There being no objection, Mr. Robinson was excused by the Speaker. Mr. Bryan was appointed to fill the vacancy.

The oath of office was administered to the following employees:

Will McFayden, Ways and Means; Miss Louis Taylor, Appropriation Committee; May H. Peebles, Printing Committee; Florence K. Walker, Quarantine; T. T. Alcord, Railroad; Leola Howard, Municipal Corporation; Hattie Cross, Judiciary.

Mr. Bone, Chairman of the Committee on Enrolled Bills, reported on Joint Memorial No. 1 as follows:

Mr. Speaker:

We, the Committee on Enrolled and Engrossed Bills, have carefully examined House Joint Memorial No. 1, report the same correctly enrolled.

B. B. BONE,
Chairman.

On motion the House adjourned to meet at 10 o'clock A. M. Wednesday, January 18, 1905.

JESSE B. NORTON,
Speaker.

NINTH DAY

Guthrie, Oklahoma Territory,

Wednesday, January 18, 1905.

MORNING SESSION.

The House convened, pursuant to adjournment, with the Speaker in the Chair.

The roll call showed all members present.

The Speaker ordered the name of R. J. Calkins stricken from the pay roll and the name of Miss Dora Reynolds to be placed thereon, for reasons embodied in Rule 71.

The Journal of the Eighth day was read, corrected and approved.

Mr. Becker, Chairman of the Committee on Criminal Jurisprudence, reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence of the House having had under consideration House Bill No. 37, entitled "An Act to protect Secret Societies," report a substitute measure to the House with recommendation that the same do pass.

J. P. BECKER,
Chairman.

On motion of Mr. Gayman, seconded by Mr. McBride, the report was adopted.

Council Joint Resolution No. 1 was given its second reading.

Upon motion of Mr. Gayman, seconded by Mr. McBride, Council Joint Resolution No. 1 was adopted; the vote on roll call was as follows: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick,

Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, and Mr. Speaker, 26; nays: 0.

Council Memorial No. 2 was given its second reading.

Mr. McBride moved, seconded by Mr. Gayman, that the resolution be adopted; the vote on roll call was as follows: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Levy, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 21; nays: Bone, Jester, Lydick, Maxwell, Robinson, 5.

The resolution was adopted.

The following bills were introduced and read the first time:

House Bill No. 61, by Mr. Becker.

House Bill No. 62, by Mr. Maxwell.

House Bill No. 63, by Mr. Maxwell.

House Bill No. 64, by Mr. Bryan.

House Bill No. 65, by Mr. Bryan.

House Bill No. 66, by Mr. Bryan.

House Bill No. 67, by Mr. Bryan.

House Bill No. 68, by Mr. Bryan.

House Bill No. 69, by Mr. Ross.

House Bill No. 70, by Mr. Ross.

House Bill No. 71, by Mr. Ferris.

House Bill No. 72, by Mr. Ferris.

House Bill No. 73, by Mr. Fuller.

House Bill No. 74, by Mr. Levy.

Mr. Noffsinger's request was granted, that the record show that he was present on the eighth day.

House Bill No. 75 was introduced by Mr. Speaker.

House Resolution No. 4 was introduced by Mr. Ross and read by the Clerk, as follows:

Be It Resolved, By the House of Representatives that the Chairmen of the following committees shall appoint a clerk to be paid by the Territory, to-wit:

Ways and Means, Criminal Jurisprudence, Appropriations, Municipal Corporations, Roads and Highways, Public Lands, Engrossed Bills, Agriculture, Judiciary, Education, Federal Relations, Public Officers, Printing, Public Buildings, Quarantine, Minority.

That said clerk shall serve as clerk of the committee of the person who appointed him, attend all committee meetings and do such other work as the chairman shall direct.

Mr. Daniels moved that the resolution be adopted.

Upon roll call the yote was as follows: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; nays, Lydick, Robinson, 2.

The following bills were read the second time and referred to committees:

House Bill No. 40, Committee on Judiciary.

House Bill No. 41, Committee on Ways and Means.

House Bill No. 42, Committee on Education.

House Bill No. 43, Committee on Criminal Jurisprudence.

House Bill No. 44, Committee on Judiciary.

House Bill No. 45, Committee on Private Corporations.

House Bill No. 46, Committee on Judiciary.

House Bill No. 47, Committee on Education.

House Bill No. 48, Committee on Military.

House Bill No. 49, Committee on Judiciary.

House Bill No. 50, Committee on Judiciary.

House Bill No. 51, Committee on Judiciary.

House Bill No. 52, Committee on Judiciary.

House Bill No. 53, Committee on Education.

House Bill No. 54, Committee on Ways and Means.

House Bill No. 55, Committee on Municipal Corporations.

House Bill No. 56, Committee on Quarantine.

House Bill No. 57, Committee on Municipal Corporations.

House Bill No. 58, Committee on Quarantine.

House Bill No. 59, Committee on Judiciary.

House Bill No. 60, Committee on Judiciary.

Mr. Robinson moved that the House resolve itself into a Committee of the Whole for the purpose of considering House Bill No. 1.

The Committee of the Whole arose and reported progress and asked leave to sit again. The report was adopted.

The House adjourned until 2 o'clock P. M.

AFTERNOON SESSION.

The House reconvened at 2 o'clock.

Mr. Lydick, by unanimous consent, introduced House Bill No. 76,

Mr. Gandy asked that the reconsideration of House Bill No. 1 pass over until January 19th.

Mr. Noffsinger stated that arrangements would be made for a special train from Guthrie to Kingfisher, that the members of the House might attend the jubilee celebration of the Kingfisher College.

Mr. Ballinger moved that the invitation to attend the jubilee celebration at Kingfisher be accepted. The motion carried.

The following message was received from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House Council Concurrent Resolution No. 1, which has passed the Council, which you will find attached.

J. P. JAYNE,
Chief Clerk.

House Bill No. 76 was read by the Clerk.

Mr. Prouty moved that the rules be suspended for the consideration of Council Concurrent Resolution No. 1.

Upon roll call the vote was as follows: Ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Mr. Speaker, 15; nays: Bryan, Craig, Ferris,

Fuller, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Robinson, 11. The motion to suspend was lost.

The House adjourned until 10 o'clock A. M., January 19, 1905.

JESSE B. NORTON,
Speaker.

TENTH DAY

Guthrie, Oklahoma Territory,

Thursday, January 19, 1905.

MORNING SESSION.

The House convened, pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present.

The Speaker names as the two pages under the resolution adopted on the Ninth day, Everett Becker and Sam Hawkins.

The Speaker administered the oath of office to the following clerks: Miss Dora Reynolds, Committee on Enrolled and Engrossed Bills; Miss Edna B. Cory, Committee on Compensation of Public Officers; Mrs. Carrie Becker, Committee on Appropriations; Miss Mamie Shelton, Minority Committee; George W. Vickers, Committee on Education; W. B. Harrison, Committee on Agriculture; G. W. Smith, Committee on Roads and Highways, and Everett Becker and Sam Hawkins, pages.

The Journal of the Ninth day was read, corrected and approved.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education of the House, having had under consideration House Bills Nos. 7, 29, 36 and 53, report them back to the House with the recommendation that House Bills Nos. 7 and 53 do pass, and that House Bills Nos. 29 and 36 do not pass.

A. J. ROSS,
Chairman.

Mr. Gandy moved that the report of the Committee on Education be accepted. The motion carried.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary of the House, having had under consideration House Bills Nos. 32, 34 and 35, entitled, "An Act to facilitate and curtail costs of service of process on certain cases, prescribing the duties of the telephone operators in relation thereto, delaying the effort of service of such process by means of telephone, or registered mail, and for other purposes," report it back to the House with recommendation that the same do not pass.

W. W. NOFFSINGER,
Chairman.

Mr. Ballinger moved that the report of the Judiciary Committee be adopted.

Mr. Robinson moved that the report of the Judiciary Committee be amended to read that House Bill No. 34 do pass.

Upon roll call the vote was as follows: Ayes: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Lydick, Robinson, Maxwell, 10; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, Logan, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 15. The motion was lost.

The report of the Judiciary Committee was adopted.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means of the House having had under consideration House Bill No. 18 entitled, "An Act legalizing the incorporation of Walters, Comanche County, Oklahoma Territory," report it back to the House with recommendation that the same do pass.

DYKE BALLINGER,
Chairman.

Mr. Gayman moved that the report be adopted. The motion carried.

The Committee on Enrolled Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills, have carefully examined House Joint Memorial No. 2, and report same correctly enrolled.

B. B. BONE,
Chairman.

Mr. Gayman moved that the report of the Committee be adopted. The motion carried.

Council Concurrent Resolution No. 1 was read the second time by the clerk, as follows:

BE IT RESOLVED BY THE COUNCIL, THE HOUSE CONCURRING THEREIN, That the President of the Council, together with the Speaker of the House be, and the same is hereby authorized, to enter into a contract on behalf of the Territory, to provide for the printing of the Eighth Legislative Assembly in excess of the twenty-five hundred dollars appropriation therefor by the Government, the said contract to provide and contain the following printing at the following rates and prices, to-wit:

All the public printing for both Houses of the Eighth Legislative Assembly and furnish all the supplies together with all the composition, press work, folding and stitching necessary to complete public printing incident to the Eighth Legislative Assembly except the printing of the Session Laws, and Journal of the said Assembly. The printing to be provided for in said contract shall be all the bills, calendars, and reports of the standing committees and also such other incidental printing as may be authorized by said Legislative Assembly, or its authorized agents. The said printing to be done in the manner as shall be provided by the contract herein above mentioned which contract shall provide the following prices, rates and stipulations, to-wit:

The Calendar to be printed in Long Primer type, set solid, the name of the author of the bill, the number of the bill, designating as to which House the origin of the bill, all to be in one paragraph, and all in straight, ordinary composition and every and each of said calendars to contain the following titles on as few pages as practically can be and no other titles, to-wit: Bills of Second Reading, Bills of

Third Reading, General Orders and Special Orders; the calendar on the first day of each week to contain also bills in the hands of the committees.

The bills herein mentioned and to be provided for in said contract shall be printed in the following style, manner, stipulations, to-wit: Small Pica type, to be used one Pica space between the lines to be numbered on the left margin, the said bills to contain number thereof, by whom introduced, and the House of its origin, whole bill in its entirety.

The price of the printing, composition and paper, shall not exceed the price specified in the contract between the Territory and the Capital Printing Company, dated December 29, 1904, except for stitching and folding which shall not exceed six cents per calendar or bill.

The said contract shall provide that the person, company or corporation who undertakes to do the printing of the said Assembly shall between the twenty-seventh and thirtieth day of the Session of the said Legislative Assembly submit an itemized bill and account of all the printing done by him up to the date of submitting the same with the separate items therein and the total amount due for the said printing up to that date, dividing the same showing what part of the printing was done for the Council, and what part of the House of Representatives, the said bill and account to be submitted to the Committee on Printing both of the Council and of the House of Representatives, in duplicate.

Mr. Lydick offered as substitute for Council Concurrent Resolution No. 1, which was read by the clerk.

BE IT RESOLVED BY THE COUNCIL, THE HOUSE CONCURRING THEREIN:

That the President of the Council, together with the Speaker of the House, be and the same are hereby authorized to receive bids for the printing of the Eighth Legislative Assembly in excess of the twenty-five hundred dollars appropriation thereof by the Government. The said bid to cover and provide for the following printing to-wit:

All the public printing for both Houses of the Eighth Legislative Assembly, and for the furnishing of all the supplies, together with all the

composition, press work, folding and stitching, necessary to complete public printing incident to the Eighth Legislative Assembly, except the printing of the Session Laws and Journal of said Assembly. The printing to be provided for in said bids, shall be all the bills, calendars, and reports of the standing committees, and also such other printing as may be authorized by said Legislative Assembly, or its authorized agents. The said printing to be done as follows: The calendars to be printed in Long Primer type, set solid, the name of the author of the bill, the number of the bill and the designation of which House the Bill originated in, all to be in one paragraph, and all in the straight, ordinary composition, and each and every one of said calendars to contain the following titles on as few pages as practical and no other titles, to-wit: Bills of Second Reading, Bills of Third Reading, General Orders and Special Orders; the calendar on the first day of each week to contain also bills in the hands of the committees. The bills herein mentioned shall be printed in the following style, manner, stipulation, to-wit: Small Pica type to be used, one Pica space between the lines and with the lines to be numbered on the left margin, the said bills to contain number thereof, by whom introduced, and the House of its origin and the whole bill in its entirety.

That said President of the Council, the Speaker of the House, shall act as a Joint Committee of the Eighth Legislative Assembly, and shall receive bids as aforesaid until January 24, 1905, at 10 o'clock of said day, and on said last named date, they, the said President of the Council, and Speaker of the House, shall, if the Council and House be in session, and if not in session, then on the first day thereafter, when said Council and House of Representatives may be in session, report in writing to the Council and House of Representatives, in which report they shall embody in full all propositions made to them, and all bids by them received for said printing and furnishing of supplies, for which they are by said resolution authorized to receive bids as aforesaid, together with their recommendations as to whom a contract for said printing and supplies should be made with the Eighth Legislative Assembly.

Each of the said bids shall provide that the person, company, or corporation, who makes the bid, and who agrees thereby to do in accordance with his bid the printing of the said Assembly, shall, if re-

quired so to do by this Assembly, give a reasonable bond for the faithful performance of the contract, if awarded to such bidder, and shall further provide that between the twenty-seventh and thirtieth day of the session, of the Legislative Assembly, the person, company or corporation, submitting the bid shall, if awarded the contract, submit an itemized bill and account of all the printing to be done by such successful bidder up to date of submitting the same with the separate items therein, and the total amount for the said printing up to that date, dividing the same, showing what part of the printing was done for the Council, and what part for the House of Representatives, the said bill and account to be submitted to the Committee on Printing, both of the Council and the House of Representatives, duplicate.

Mr. Gandy moved that Mr. Lydick's substitute be laid on the table.

The roll call resulted as follows: Ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 15; nays: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Robinson, 11. The motion carried and the substitute was ordered to lie.

The following bills were introduced and read the first time:

House Bill No. 77, by Mr. Bryan.

House Bill No. 78, by Mr. Bryan.

House Bill No. 79, by Mr. Ferris.

House Bill No. 80, by Mr. Hogg.

House Bill No. 81, by Mr. Taylor.

House Bill No. 82, by Mr. Taylor.

House Bill No. 83, by Mr. Taylor.

House Bill No. 84, by Mr. Gandy.

House Bill No. 85, by Mr. Craig.

The following bills were given their second reading, and referred to their Committees:

House Bill No. 61, Committee on Education.

House Bill No. 62, Committee on Railroads.

House Bill No. 63, Committee on Roads and Highways.

House Bill No. 64, Committee on Judiciary.

House Bill No. 65, Committee on County and Township Organization.

House Bill No. 66, Committee on Criminal Jurisprudence.

House Bill No. 67, Committee on Compensation of Public Officers.

House Bill No. 68, Committee on Judiciary.

House Bill No. 69, Committee on County and Township Organization.

House Bill No. 70, Committee on County and Township Organization.

House Bill No. 71, Committee on Ways and Means.

House Bill No. 72, Committee on Ways and Means.

House Bill No. 73, Committee on Compensation of Public Officers.

House Bill No. 74, Committee on Compensation of Public Officers.

House Bill No. 75, Committee on Ways and Means.

House Bill No. 76, Committee on Education.

Mr. Ferris moved that the House go into a Committee of the Whole for the purpose of considering the bills on the calendar. The motion carried.

The Committee of the Whole arose and reported, recommending that House Bill No. 37 do pass and that House Bill No. 31 is in progress and laid over special for next Tuesday.

Mr. Prouty moved that the report of the Committee of the Whole be adopted. The motion carried.

Mr. Speaker ordered House Bill No. 37 engrossed, and announced that he was about to sign House Joint Memorial No. 1, and after signing the Memorial directed that the same be transmitted to the Council for the signature of Mr. President.

The Speaker announced he was about to sign House Joint Memorial No. 2, and did so sign.

Mr. Robinson moved that the House adjourn.

The motion carried.

AFTERNOON SESSION.

The House re-convened with the Speaker in the chair.

Mr. Noffsinger moved that the Council Concurrent Resolution no. 1, and all amendments thereto be taken from the table. The motion carried.

Mr. Bryan moved to adopt the substitute to Council Concurrent Resolution No. 1.

Upon roll call the vote was follows: Ayes: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Logan, Lydick, Robinson, Maxwell, 10; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker 15; absent, Levy, 1. The motion was lost.

Mr. Ballinger offered the following amendment to Council Concurrent Resolution No. 1:

Mr. Speaker:

I move that the House Concurrent Resolution No. 1, be amended as follows, to-wit: "That all bills in the hands of the committees be printed in the calendar of the House and Council each day instead of once a week, as provided by said Resolution, for the reason that the members of Committees are entitled to hold the bills five days, and if the bills are printed in the calendar each day, instead of each week, the bills can be located, and will not remain more than five days in the hands of the Committees; otherwise they might remain seven days."

Mr. Maxwell offered an amendment to Mr. Ballinger's amendment to provide, that where bills are kept standing from one to ten days the printer be allowed to charge but once.

Mr. Woods seconded Mr. Ballinger's amendment.

Mr. Ferris seconded the amendment of Mr. Maxwell.

The motion to amend the amendment upon call was lost by the following vote: Ayes: Bryan, Craig, Ferris, Fuller, Jester, Logan, Lydick, Robinson, Maxwell, 9; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Hogg, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 16; absent, Levy, 1.

Mr. Ferris offered the following amendment to Council Concurrent Resolution No. 1:

Be it resolved by the House of the Eighth Legislative Assembly, the Council concurring therein,

First: That there be inserted in said resolution the following clauses to-wit:

Second: That no contract shall be awarded to any person, persons, corporations or syndicate, until there shall exist a period of time five days in duration from passage thereof in which competition bids may be received.

Third: That said bids and each of them shall be submitted to this Assembly for ratification or rejection as facts may warrant.

Fourth: That the lowest responsible bidder shall receive the contract for the printing necessary.

Fifth: The copies of contract duly entered into between William Grimes, Secretary of the Territory, and Frank Greer, be furnished to every member of this Assembly prior to any awarding of any printing contract.

Upon roll call the vote was as follows: Ayes: Bryan, Craig, Ferris, Jester, Logan, Lydick, Fuller, Hogg, Maxwell, Robinson, 10; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 15; absent, Levy, 1. The motion was lost.

Mr. Bryan offered an amendment to Council Concurrent Resolution No. 1, by inserting after the word "contract" in line three, the words "which printing shall be done by printers belonging to the International Typographical Union, the said printing bear the Union label of said Typographical Union."

Upon roll call the vote was as follows: Ayes: Bryan, Craig, Ferris, Jester, Logan, Lydick, Fuller, Hogg, Maxwell, Robinson, 10; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 15; the motion was lost.

Mr. Noffsinger moved that Council Concurrent Resolution No. 1 be adopted as amended. Upon roll call the vote was as follows: Ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride,

Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 15; nays: Bryan, Craig, Ferris, Jester, Logan, Lydick, Fuller, Hogg, Maxwell, Robinson, 10; absent, Levy, 1.

Mr Fuller introduced Resolution No. 5, declared out of order.

Mr. Maxwell gave notice that the selection of the Minority Clerk was left to the Democratic Caucus.

The Chairman of the Public Land Committee announced that he has appointed J. H. Norris as his clerk, and the Speaker administered the oath of office.

The House adjourned until 9 o'clock A. M. January 20, 1905.

ELEVENTH DAY

Guthrie, Oklahoma Territory,

Friday, January 20, 1905.

The House convened at 9 o'clock, pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Bone and Mr. Jester, excused by the Speaker.

The Journal of the tenth day was read, corrected and approved.

The Committee on Elections and Legislative Apportionments reported as follows:

Mr. Speaker:

The Committee on Elections and Legislative Apportionments of the House, having had under consideration House Bill No. 23 entitled, "An Act to provide for the nomination of candidates for all elective officers of the Territory of Oklahoma," report it back to the House with recommendations that the same do pass.

A. McBRIDE,
Chairman.

Mr. Speaker:

The Committee on Elections and Legislative Apportionments of the House having had under consideration House Bill No. 9 entitled, "An Act requiring the County Clerk to publish nominations to office" report it back to the House with recommendation that the same do not pass.

A. McBRIDE,
Chairman.

Mr. Prouty moved to amend the report with reference to House Bill No. 9, recommending that it do pass.

Mr. Bryan moved that the report of the Committee on Elections and Legislative Apportionments be adopted.

Mr. Bryan withdrew his motion and moved that the report of the Committee in so far as it pertained to House Bill No. 23 be adopted. The motion carried.

Mr. Prouty asked leave to withdraw his motion and moved that House Bill No. 9 be printed and placed on the calendar. The motion carried.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations of the House, having had under consideration House Bill No. 15, relating to "The election of officers in cities, towns, and villages," report it back to the House with recommendation that the same do pass.

C. E. WOODS,
Chairman.

Mr. Fuller was granted leave to withdraw his House Resolution No. 5, which was introduced on the tenth day.

The following House bills were introduced, and read the first time:

House Bill No. 86, by Mr. Walker.

House Bill No. 87, by Mr. Walker.

House Bill No. 88, by Mr. Prouty.

House Bill No. 89, by Mr. Prouty.

The following message from the Speaker's desk was read by the Clerk; received and placed on file:

Oklahoma, City, Okla.,
January 19, 1905.

"At a special meeting of the board of directors of the Oklahoma Historical Society, held at Guthrie, Oklahoma, January 18, 1905, the following resolution was adopted, and the custodian was directed to mail you a copy, that you might bring the resolution properly before the honorable body of which you are a member.

"Resolved, by the board of directors of the Oklahoma Historical Society, at its special meeting this date, that a cordial invitation is hereby extended to the Legislature of Oklahoma to visit, at its convenience, the rooms of the Historical Society, in the Carnegie Library building, Oklahoma City; or in lieu, that the President of the Council and the Speaker of the House of said Legislature, be requested to appoint a committee of three or more, each from their respective bodies, to visit the society rooms to the end that it may be advised as to the extent and importance of the work in hand by said society, and of its needs.

LINCOLN MCKINLEY,
Chairman.

LON WHARTON,
Secretary.

Composing Executive Committee:

JOSEPH McNEAL,
Treasurer.

WILLIAM P. CAMPBELL,
Custodian in charge."

The following bills were given their second reading and referred to committees:

House Bill No. 77, Committee on Judiciary.

House Bill No. 78, Committee on Municipal Corporations.

House Bill No. 79, Committee on Judiciary.

House Bill No. 80, Committee on Education.

House Bill No. 81, Committee on Municipal Corporations.

House Bill No. 82, Committee on Judiciary.

House Bill No. 83, Committee on Municipal Corporations.

House Bill No. 84, Committee on Asylum and Public Charities.

House Bill No. 85, Committee on Education.

Mr. Maxwell moved that the House go into a committee of the whole for the purpose of considering bills on the calendar.

The motion carried and the Speaker asked Mr. Maxwell to take the chair.

The committee of the whole arose, reported progress and asked leave to sit again. Mr. Maxwell, chairman of the committee of the whole, moved that the report be adopted. The motion carried.

Mr. Gandy moved that when the House adjourned it be until Monday at 2 P. M. The motion carried.

Mr. Noffsinger moved that the House adjourn. The motion carried.

JESSE B. NORTON,
Speaker.

TWELFTH DAY

Guthrie, Oklahoma Territory,

Saturday, January, 21, 1905.

NO SESSION.

THIRTEENTH DAY

Guthrie, Oklahoma Territory,

Sunday, January 22, 1905.

NO SESSION.

FOURTEENTH DAY

Guthrie, Oklahoma Territory,

Monday, January 23, 1905.

AFTERNOON SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Jester, excused by the Speaker.

The Journal of Friday, the Eleventh day, was read and approved.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills, having carefully examined House Joint Memorial No. 3, report the same correctly enrolled.

B. B. BONE,
Chairman.

The following message was received from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Memorial No. 3, which has been signed by Mr. President, and is transmitted for the signature of the Speaker, and which is hereto attached.

J. P. JAYNE,
Chief Clerk.

Mr. Speaker announced that he was about to sign House Joint Memorial No. 3.

Mr. Bryan moved that the report of the Committee on Enrolled and Engrossed Bills be adopted. The report was adopted.

Mr. Bryan asked that the Judiciary Committee be granted five days additional time if necessary in which to make report of all bills now before the committee, and it was granted, by the Speaker.

The Committee on Education asked for additional time to make their report, and it was granted.

The Committee on Agriculture made the following report:

Mr. Speaker:

The Committee on Agriculture of the House having had under consideration House Bill No. 30 entitled, "An Act to provide for the extermination of prairie dogs, and prescribing additional duties of township trustees," report it back to the House with recommendations that the same do pass.

JOHN INGMIRE,
Chairman.

Mr. Gayman moved that the report of the Committee on Agriculture be adopted. The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers having had under consideration House Bill No. 3, entitled "An Act amending Wilson's Statutes, Section 3039, No. 57, No. 3040, No. 52, No. 3041, No. 53, Chapter 26, Article 1, entitled, An Act regulating the fees and salaries of County Officers and for other purposes," report it back to the House, with the recommendation that the same be referred to the Committee on Judiciary, as there are several bills of the same nature before the Judiciary Committee at this time.

A. McBRIDE,
Chairman.

Mr. Becker moved that the report of the Committee on Compensation of Public Officers be adopted. The report was adopted.

The Committee on Municipal Corporations asked for additional time and it was granted by the Speaker.

Mr. Speaker:

The Committee on Compensation of Public Officers, having had under consideration House Bill No. 74, report the same back with the recommendation that the same do not pass.

A. McBRIDE,
Chairman.

On motion by Mr. Bone, the report was adopted.

Mr. Walker asked that the Committee on Quarantine and Banks and Banking be given more time. It was granted by the Speaker.

The following bills were introduced and read the first time:

House Bill No. 90, by Mr. Daniels.

House Bill No. 91, by Mr. Daniels.

House Bill No. 92, by Mr. Noffsinger.

House Bill No. 93, by Mr. Noffsinger.

House Bill No. 94, by Mr. Noffsinger.

House Bill No. 95, by Mr. Noffsinger.

House Bill No. 96, by Mr. Noffsinger.

House Bill No. 97, by Mr. Bone.

House Bill No. 98, by Mr. Bone.

House Bill No. 99, by Mr. Bone.

House Bill No. 100, by Mr. Bone.

House Bill No. 101, by Mr. Prouty.

House Bill No. 102, by Mr. Lydick.

House Bill No. 103, by Mr. Lydick.

House Bill No. 104, by Mr. Lydick.

House Bill No. 105, by Mr. Logan.

House Bill No. 106, by Mr. Becker.

House Bill No. 107, by Mr. Daniels.

House Bill No. 108, by Mr. Craig.

House Bill No. 109, by Mr. Robinson.

House Bill No. 110, by Mr. Robinson.

House Bill No. 111, by Mr. Maxwell.

House Bill No. 112, by Mr. Ballinger.

Mr. Ballinger moved that the rules be suspended, that House Bill No. 112 be read the second time, considered referred to the proper committee, reported "do pass" by said committee, considered acted upon by the committee of the whole, considered engrossed, passed to its third reading and final passage.

The roll call resulted as follows: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker; nays: Lydick, Maxwell, Robinson. The motion carried.

Mr. Maxwell explained his vote, by stating that he thought there were too many House employees and therefore voted nay.

Mr. Levy moved that Mr. B. B. Herbert, of Chicago, who was present, be invited to address the House. The motion prevailed and Mr. Herbert addressed the House.

The following bills were given their second reading and referred to their committees:

House Bill No. 86, Committee on Compensation of Public Officers.

House Bill No. 87, Committee on Education.

House Bill No. 88, Committee on Judiciary.

House Bill No. 89, Committee on Ways and Means.

Mr. Lydick moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried. Mr. Lydick was asked to take the chair.

The Committee of the Whole arose and Mr. Lydick reported House Bill No. 7 in progress and asked leave to sit again to consider this bill; House Bill No. 19 back with the recommendation that it do pass; House Bill No. 53, with recommendation that it pass as amended.

Mr. Gandy moved that the report of the Committee of the Whole be adopted. The report was adopted.

Mr. Noffsinger moved that the House adjourn to 10 A. M., January 24, 1905. The motion carried.

JESSE B. NORTON,
Speaker.

FIFTEENTH DAY

Guthrie, Oklahoma Territory,

Tuesday, January 24, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the Chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Jester, excused by the Speaker.

The Journal of the previous day was read, corrected and approved.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 71 entitled, "An Act prohibiting and regulating oil wells and gas wells," report it back to the House with the recommendation that the same do pass.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 86 entitled, "An Act prescribing certain duties to telephone companies, prohibiting discriminations between patrons, regulating the rentals and tolls allowed for the use of telephones, providing penalties therefor, and declaring an emergency," report it back to the House with recommendation that the same do pass.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 72 entitled, "An Act regulating the control of natural gas and oil wells, and to prevent waste of natural gas, altering gas connections without consent, setting fire to gas, and penalties therefor," report it back to the House with recommendation that the same do pass.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 54 entitled, "An Act in relation to the form and entry thereon of current and delinquent taxes, and collection of the same," report it back to the House with recommendation that the same do pass, as amended, by striking out Section 4 of said bill.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 41 entitled, "An Act to better regulate the handling and sale of oils and gasoline at retail," report it back to the House with recommendation that the same do pass as amended.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 75 entitled, "An Act regulating the practice of dentistry in the Territory of Oklahoma," report it back to the House with recommendation that the same do pass.

DYKE BALLINGER,
Chairman.

Mr. Speaker:

The Committee on Ways and Means of the House, having had under consideration House Bill No. 26 entitled, "An Act regulating

the report of births and deaths," report it back to the House with recommendation that the same do not pass.

DYKE BALLINGER,
Chairman.

Mr. Lydick moved that the report of the Committee on Ways and Means be adopted. The report was adopted.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Committee on Judiciary of the House, having had under consideration House Bill No. 60 entitled, "An Act relating to procedure in probate courts," by amending that the first word in line two, of section One, read 'fifteen' in stead of 'twenty,' and also that Section Eight be amended by striking out the words, 'except Section Four and all words which follow,' " report it back to the House with recommendation that the same do pass.

W. W. NOFFSINGER,
Chairman.

Mr. Speaker:

The Committee on Judiciary of the House, having had under consideration House Bill No. 14 entitled, "An Act relating to the foreclosure of mortgages on real estate, and providing for equity of redemption," by amending the same, as has been done by the author of the bill, by scratching out certain lines therein, reporting it back to the House with recommendation that the same do pass.

W. W. NOFFSINGER,
Chairman.

Mr. Speaker:

The Committee on Judiciary of the House, having had under consideration House Bill No. 12 entitled, "An Act amending Sections 3343 and 3345, of the Revised Annotated Statutes of Oklahoma, of 1903 known as Wilson's Statutes, being an Act relating to landlords and tenants," report it back to the House with recommendation that the same do not pass.

W. W. NOFFSINGER,
Chairman.

Mr. Bryan moved that the report of the Committee on Judiciary be adopted.

Mr. Logan moved to substitute the following minority report House Bill No. 12 for the majority report on the bill:

Mr. Speaker:

The undersigned members of the Committee on Judiciary of the House, having had under consideration House Bill No. 12 entitled, "An Act to amend Sections 3343 and 3345, of the Revised and Annotated Statutes of Oklahoma, of 1903, known as Wilson's Statutes, being an Act relating to landlords and tenants," beg leave to submit the minority report that the bill do pass.

O. J. LOGAN,
WESLEY TAYLOR.

Mr. Bryan asked to withdraw his motion and moved that the report of the Judiciary Committee be adopted in so far as it pertained to House Bills No. 60 and No. 14.

Mr. Lydick moved as a substitute that House Bill No. 12 be printed and placed on the Calendar. The vote on the substitute was as follows: Ayes: Craig, Ferris, Hogg, Levy, Logan, Lydick, Maxwell, Robinson, Taylor, Woods, 10; nays: Ballinger, Becker, Bone, Bryan, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Walker, Mr. Speaker, 14; absent, 1. The motion was lost.

Mr. McBride moved that the report of the Judiciary Committee be adopted. The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers of the House having had under consideration House Bill No. 86 entitled, "An Act to amend Section 51, of Article 2, Chapter 62, of Wilson's Revised and Annotated Statutes of Oklahoma Territory, of 1903," report it back to the House with the recommendation that the same do not pass.

A. McBRIDE,
Chairman.

Mr. Speaker:

The Committee on Compensation of Public Officers of the House having had under consideration 'House Bill No. 67 entitled, "An Act to amend Sections 10 and 11, Article 1, Chapter 36, of the Revised Statutes of Oklahoma Territory, and Section 1, Chapter 14, of the Session Laws, of 1903, relating to fees and salaries," report it back to the House with recommendation that the same do not pass.

A. McBRIDE,
Chairman.

Mr. Ross moved that the report of the Committee on Compensation of Public Officers be adopted. The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine having had under consideration House Bills Nos. 8 and 58, entitled, "An Act to establish quarantine regulations and to establish a quarantine line," beg leave to submit the following substitute, Bill No. 58, and report that said substitute bill do pass.

W. N. WALKER,
Chairman.

It was moved that the report of the Committee on Quarantine be adopted. The motion was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills, having carefully examined Substitute House Bill No. 37, report the same correctly engrossed.

B. B. BONE,
Chairman.

Mr. Woods moved that the report of the Committee on Enrolled and Engrossed Bills be adopted, and the report was adopted.

The following House Bills were introduced and read the first time:

House Bill No. 113, by Mr. Noffsinger.

House Bill No. 114, by Mr. Noffsinger.
House Bill No. 115, by Mr. Noffsinger.
House Bill No. 116, by Mr. Noffsinger.
House Bill No. 117, by Mr. Ingmire.
House Bill No. 118, by Mr. Becker.
House Bill No. 119, by Mr. Ross.
House Bill No. 120, by Mr. Ross.
House Bill No. 121, by Mr. Ross.
House Bill No. 122, by Mr. Ross.
House Bill No. 123, by Mr. McBride.
House Bill No. 124, by Mr. Walker.
House Bill No. 125, by Mr. Daniels.
House Bill No. 126, by Mr. Speaker.

Mr. Bone moved that the following named persons be appointed to visit the Southwestern Normal School at Weatherford in the near future: Mr. Prouty, Mr. McBride, Mr. Ballinger, Mr. Bryan, Mr. Hogg.

Mr. Ross moved that the motion be amended authorizing the Committee to visit all the territorial schools.

Mr. Lydick moved as a substitute that the Speaker appoint a committee of five to visit the various Territorial institutions. The substitute was adopted.

The following bills were given their second reading and referred to Committees:

House Bill No. 90, Committee on Education.
House Bill No. 91, Committee on Agriculture.
House Bill No. 92, Committee on Ways and Means.
House Bill No. 93, Committee on Judiciary.
House Bill No. 94, Committee on Railroads.
House Bill No. 95, Committee on Railroads.
House Bill No. 96, Committee on Railroads.
House Bill No. 97, Committee on Judiciary.
House Bill No. 98, Committee on Judiciary.
House Bill No. 99, Committee on Education.

House Bill No. 100, Committee on Municipal Corporation.

House Bill No. 101, Committee on Ways and Means.

House Bill No. 102, Committee on Ways and Means.

House Bill No. 103, Committee on Ways and Means.

House Bill No. 104, Committee on Judiciary.

House Bill No. 105, Committee on Ways and Means.

House Bill No. 106, Committee on Public Lands.

House Bill No. 107, Committee on Education.

House Bill No. 108, Committee on Municipal Corporation.

House Bill No. 109, Committee on Education.

House Bill No. 110, Committee on County and Township Organization.

House Bill No. 111, Committee on Drainage and Irrigation.

Mr. Robinson asked that House Bill No. 109 be referred to the Committee of the Whole, and there being no objection, Mr. Speaker so referred the bill.

Mr. Prouty moved that the House resolve itself into a Committee of the Whole for the consideration of bills on the calendar. The Speaker asked Mr. Woods to take the chair.

The Committee of the Whole arose and recommended that House Bill No. 9 do pass as amended.

It was moved that the House adjourn. The motion carried.

AFTERNOON SESSION.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering Special Order House Bill No. 1. The motion carried and Mr. Ross was asked to take the chair.

The Committee of the Whole arose and reported that House Bill No. 1 do pass as amended.

Mr. Gandy moved that the report be adopted.

Mr. Robinson moved that in lines six and seven the words, "from and after the passing and approval of this Act," be stricken out. The motion carried.

Mr. Robinson moved that the bill, as amended, be engrossed and placed upon its final passage. The motion carried.

Mr. Lydick moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the calendar. The motion was lost.

On Mr. Ballinger's motion the House adjourned until 10 o'clock A. M., January 25, 1905.

JESSE B. NORTON,
Speaker.

SIXTEENTH DAY -

Guthrie, Oklahoma Territory,

Wednesday, January 25, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Jester, excused by the Speaker.

The Journal of the previous day was read and approved.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bills Nos. 104, 6, 68 and 49, as amended by the Committee do pass; that Nos. 46, 52, 97, 40, 79, 3 and 44 do not pass.

W. W. NOFFSINGER,
Chairman.

It was moved that the report be adopted.

Mr. Ferris moved to amend the motion by having House Bill No. 79 printed and placed upon the calendar.

On roll call the vote was as follows: Ayes: Craig, Daniels, Ferris, Muller, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Walker, Woods, and Mr. Speaker, 17; nays: Ballinger, Becker, Bone, Gandy, McBride, Noffsinger, Taylor, 7; present and not voting, Bryan, 1; absent, Jester, 1. The motion by Ferris carried.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bills Nos. 61, 76, 47 and 99 do pass; that Nos. 80 and 90 do not pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that House Bill No. 22 do pass, as amended.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Military Affairs reported as follows:

Mr. Speaker:

The Committee on Military Affairs recommend that House Bill No. 48 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers recommend that House Bill No. 73 do not pass.

A. McBRIDE,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bills Nos. 13, 100 and 55 do pass.

C. E. WOODS,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 127, by Mr. Bryan.

House Bill No. 128, by Mr. Ballinger.

It was moved by Mr. Bryan that the Speaker, if in his judgment believes it necessary, be authorized to hire further stenographic and clerical help for his work. The motion carried.

The following bills were read the second time and referred to Committees:

House Bill No. 113, Committee on Judiciary.

House Bill No. 114, Committee on Criminal Jurisprudence.

House Bill No. 115, Committee on Judiciary.

House Bill No. 116, Committee on Judiciary.

House Bill No. 117, Committee on Municipal Corporation.

House Bill No. 118, Committee of the Whole.

House Bill No. 119, Committee on Compensation of Public Officers.

House Bill No. 120, Committee on Appropriations.

House Bill No. 121, Committee on Municipal Corporations.

House Bill No. 122, Committee on Education.

House Bill No. 123, Committee on Judiciary.

House Bill No. 124, Committee on Elections and Legislative Apportionments.

House Bill No. 125, Committee on Roads and Highways.

House Bill No. 126, Committee on Education.

Mr. Walker moved that the House resolve itself into the Committee of the Whole for the purpose of considering House Bill No. 58 and other bills on the calendar. The motion carried. Mr. Gandy was asked to take the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration House Bill No. 58, recommend that it be made a Special Order for Thursday, at 2 o'clock; that the substitute for House Bill No. 7 do

pass; that House Bill No. 15 do pass; that House Bill No. 23 be made a special order for Tuesday, January 31, at 2 P. M. The report was adopted.

Mr. Robinson offered an amendment to House Bill No. 15 as follows:

That at the end of Section 1 the following be added: "Provide, however, that nothing contained herein shall prevent the respective officers or clerk and assessor to be held by the same person." The amendment was accepted.

Mr. Robinson moved that House Bill No. 7 and 15 be ordered engrossed, and placed on their third reading and final passage. The motion carried.

Upon motion the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M., with the Speaker in the chair.

Mr. Prouty had unanimous consent to introduce House Concurrent Resolution No. 3.

The following message was received from the Council:

Mr. Speaker:

I have the honor to transmit through you, to the House, Council Joint Resolution No. 1, Council Concurrent Resolution No. 1, Council Memorial No. 3, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Joint Resolution No. 1, Council Concurrent Resolution No. 1, and Council Memorial No. 3 were signed by Mr. Speaker, who ordered them transmitted to the Council for the signature of Mr. President.

House Joint Memorial No. 3 was returned to the House, having been signed by Mr. President.

Mr. Prouty moved that the rules be suspended and that House Concurrent Resolution No. 3 be adopted.

The roll call upon the motion resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 25; nays: 0; absent: Jester, 1. The motion carried.

By unanimous consent the following bills were introduced and read the first time:

House Bill No. 129, by Mr. Lydick.

House Bill No. 130, by Mr. Maxwell.

House Bil No. 131, by Mr. Walker.

Mr. Woods offered House Joint Resolution No. 4.

Mr. Gandy moved that the rules be suspended and House Joint Resolution No. 4 be passed at this time.

The roll call on motion to adopt the resolution resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; nays: 0; absent: Jester, 1.

The roll call on motion to adopt the resolution resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; nays: 0; absent: Jester, 1.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills, having compared House Bills Nos. 19, 53, 1 and 9, report the same correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Lydick moved that substitute for House Bill No. 37 do pass. The roll call resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; nays: 0; absent: Jester, 1.

The Speaker declared the substitute passed and the enacting and entitling clauses agreed to.

The roll call on the final passage of House Bill No. 19 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; nays: 0; absent: Jester, 1.

The roll call on the final passage of House Bill No. 53 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; nays: 0; absent: Jester, 1.

The roll call on the final passage of House Bill No. 9 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 22; nays: McBride, Noffsinger, Robinson, 3; absent: Jester, 1.

Mr. Ballinger moved that House Bill No. 1 be referred back to the committee of the whole for further amendments. The motion was lost.

Mr. Gandy moved that the bill do pass.

The roll call on final passage of House Bill No. 1, resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 22; nays: Ballinger, Lydick, McBride, 3; absent: Jester, 1.

Mr. Ballinger explained that he voted "No," because this bill causes the people of Beaver County to remove from that County more than

one million dollars worth of property in less than sixty days, which is a great hardship; that in moving these cattle at this time of the year many of them will die, and the passing of the bill is against the desire and wishes of the best part of the citizenship of Beaver County; that it unjustly takes away their right to say whether they want a herd law.

Mr. McBride explained his vote, saying that he voted "No," because he believes the bill to be injurious to the majority of the people of Beaver County, for the citizens cannot at this time remove their cattle from the county without great loss; that it is unjust and unfair to ask them to do so.

Mr. Lydick explained his vote that "Whereas, the cattlemen of Beaver County have invested their money in Beaver County with the expectation of the present law protecting them for two years more, and that it is an injustice to the citizens of Beaver County, I vote No."

Mr. Gandy moved that the House resolve itself into a committee of the whole for the purpose of considering bills on the calendar. The motion carried, and Mr. Taylor was asked to take the chair.

The committee of the whole arose and reported that House Bills Nos. 14 and No. 30 do pass. The report was adopted.

Mr. Robinson moved that House Bills No. 14 and No. 30 be ordered engrossed and placed upon their final passage.

Mr. Lydick moved that the House resolve into a committee of the whole for the purpose of considering bills on the calendar. The motion was lost.

Requests were made that House Bill No. 98 be referred to Committee on Penitentiary and Reformatory instead of to Committee on Judiciary; House Bill No. 120 to Judiciary instead of Appropriations; House Bill No. 5 to Judiciary Committee instead of Ways and Means; there being no objections the changes were made.

Victor Decker was appointed Assistant House Stenographer and took the oath of office.

Upon motion the House adjourned until 10 o'clock A. M., January 26, 1905.

JESSE B. NORTON,
Speaker.

SEVENTEENTH DAY

Guthrie, Oklahoma Territory,

Thursday, January 26, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Jester, excused by the Speaker.

The Journal of the previous day was read, corrected and approved.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bill No. 28 do not pass, and that House Bill No. 93, amended by committee, do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Railroads reported as follows:

Mr. Speaker:

The Committee on Railroads recommend that House Bill No. 94 do not pass.

WESLEY TAYLOR,
Chairman.

Mr. Noffsinger moved that House Bill No. 94 be printed and placed on the calendar, as a substitute for the report of the Committee.

Upon roll call the vote on the substitute resulted: Ayes: Ballinger Bone, Becker, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Walker, Woods, Ross, 20; nays: Craig, Levy, Prouty, Taylor, Mr. Speaker, 5; absent, 1.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bill No. 38 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Criminal Jurisprudence reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence recommend that House Bill No. 17 do pass.

J. P. BECKER,
Chairman.

The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine recommend that House Bills Nos. 2 and 56 do pass, and House Bill No. 24 do not pass.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bill No. 15 and substitute House Bill No. 7 are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 132, by Mr. Gandy.

House Bill No. 133, by Mr. Ross.

House Bill No. 134, by Mr. Ross.

House Bill No. 135, by Mr. Robinson.

House Bill No. 136, by Mr. Robinson.

House Bill No. 137, by Mr. Robinson.

House Bill No. 138, by Mr. Robinson.

House Bill No. 139, by Mr. Noffsinger.

House Bill No. 140, by Mr. Logan.

House Bill No. 141, by Mr. Logan.

House Bill No. 142, by Mr. Logan.

House Bill No. 143, by Mr. Bone.

House Bill No. 144, by Mr. Ferris.

Mr. Lydick introduced House Resolution No. 6, as follows:

A Resolution providing for the preparation of a General Appropriation Bill.

"Be It Resolved, by the House of Representatives of the Eighth Legislative Assembly of the Territory of Oklahoma,

"That the Committee on Appropriations of the House of Representatives is hereby requested, authorized and directed to prepare and submit to this House on or before the thirty-ninth day of the session, a general appropriation bill, which bill shall include so far as possible and, in the opinion of said Committee, practicable, all appropriations of money which should be made by the Eighth Legislative Assembly."

Upon motion by Mr. Lydick to suspend the rules and pass the resolution to its second reading, the vote to suspend the rules on roll call resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 24; nays: Gandy, 1; absent: Jester, 1.

The resolution was read the second time and upon roll call the vote resulted; Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Max-

well, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor Walker, Woods, Mr. Speaker; absent: Jester, 1. The resolution was adopted.

The following bills were read the second time and referred to committee:

House Bill No. 127, Committee on Compensation of Public Officers.

House Bill No. 128, Committee on Banks and Banking.

House Bill No. 129, Committee on Education.

House Bill No. 130, Committee on Ways and Means.

House Bill No. 131, Committee on Municipal Corporations.

Upon motion by Mr. Ross the House resolved itself into a committee of the whole for the purpose of considering bills on the calendar. The Speaker called Mr. Daniels to the Chair.

The Committee of the Whole arose and reported that House Bill No. 41 be made a special order for Wednesday, February 1, at 2 o'clock P. M.; that on House Bill No. 54 report progress be reported and leave asked to sit again; on House Bill No. 60 progress reported and leave asked to sit again. The report of the committee was adopted.

Upon motion by Mr. Becker the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the Chair.

Upon motion the House resolved itself into a committee of the whole for the purpose of considering House Bill No. 58, Special Order; the Speaker invited Mr. Daniels to take the Chair.

The following message was received from the Council:

Mr. Speaker:

I have the honor to transmit through you, to the House, Council Bill No. 1 and Council Bill No. 7, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported that House Bill No. 58 be made a Special Order for Thursday, February 2, at 2

o'clock, P. M.; that House Bill No. 60 do pass as amended. The report was adopted.

Upon motion by Mr. Ross, House Bill No. 60 was ordered engrossed and placed upon its third reading and final passage.

The following Council Bills were read the first time and passed to their second reading:

Council Bill No. 1.

Council Bill No. 7.

The following bills on their third reading were read and placed upon their final passage.

The roll call on the final passage of Substitute House Bill No. 7 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 23; absent: Fuller, Gayman, Jester, 3.

The Speaker declared the Substitute Bill passed and the entitling and enacting clause agreed to.

The roll call on the final passage of House Bill No. 15 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 25; absent 1.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that we have carefully compared House Bills No. 30 and No. 14 and find the same correctly engrossed.

B. B. BONE,
Chairman.

The roll call on the final passage of House Bill No. 30 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson,

Ross, Taylor, Walker, Wood, Mr. Speaker, 21; nays: Bone, Daniels, Gandy, McBride, 4; absent: Jester, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Gandy explained his vote, stating that if House Bill No. 30 is passed, it will create an extra expense, and taxes are heavy enough, therefore he voted "No."

Mr. Maxwell explains his vote, saying that he voted "aye" with the understanding that any one who has prairie dogs and cares to do so may keep them.

Mr. McBride explains his vote, saying that in his country it would make a great expense to undertake to exterminate prairie dogs, as there is a lot of Indian land on which are found prairie dogs, therefore he voted "No."

The roll call on the final passage of House Bill No. 14 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gayman, Hogg, Ingmire, Logan, Lydiek, Maxwell, McBride, Noffsinger, Prouty, Ross, Robinson, Taylor, Walker, Wood, Mr. Speaker, 22; nays: Gandy, Levy, 2; absent, Jester, Fuller, 2.

The following message was received from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 12, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker declared House Bill No. 14 passed and the entitling and enacting clauses agreed to.

Council Bill No. 12 was read for the first time.

Upon motion by Mr. Becker the House adjourned until 10 o'clock A. M., January 27, 1905.

JESSE B. NORTON,
Speaker.

EIGHTEENTH DAY

Guthrie, Oklahoma Territory,

Friday, January 27, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Chaplain.

The roll call showed all members present except Mr. Jester, excused.

The Journal for the preceding day was read, corrected and approved.

The following Committees reported:

Mr. Speaker:

The Committee on Ways and Means reported and recommended that House Bill No. 92 do pass; House Bill No. 25 do not pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

Mr. Speaker:

The Committee on Education report and recommend that House Bill No. 107 do not pass; that House Substitute Bill No. 27 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

Mr. Speaker:

The Committee on Compensation of Public Officers report and recommend that House Bill No. 127 do pass; House Bill No. 119 do not pass.

A. McBRIDE.
Chairman.

The report was adopted.

Mr. Speaker:

The Committee on Penitentiary and Reformatory report and recommend that House Bill No. 98 do pass.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Speaker:

The Committee on Municipal Corporations report and recommend that Substitute for House Bill No. 16 do pass; House Bill No. 18 do pass; House Bill No. 78 do not pass.

C. E. WOOD,
Chairman.

The report was adopted.

Mr. Becker moved that in as much as the printer had left House Bill No. 61 off of the calendar, it be placed upon the Calendar under the General Order of business. The motion carried.

The following bills were introduced and read the first time:

House Bill No. 145, by Mr. Woods.

House Bill No. 146, by Mr. Woods.

House Bill No. 147, by Mr. Hogg.

House Bill No. 148, by Mr. Ross.

House Bill No. 149, by Mr. Ross.

House Bill No. 150, by Mr. Taylor.

House Bill No. 151, by Mr. Taylor.

House Bill No. 152, by Mr. Gayman.

House Bill No. 153, by Mr. Craig.

House Bill No. 154, by Mr. Maxwell.

House Bill No. 155, by Mr. Craig.

Mr. Noffsinger moved, that in as much as there are so many bills to be considered, in order to give the Committees time to work, the House adjourn until 2 o'clock P. M., Saturday, January 28.

Mr. Walker moved to amend by adjourning until Monday at 10 o'clock.

Mr. Gandy moved to substitute for all motions pending, that the House adjourn until 2 P. M. this afternoon.

Mr. Becker moved as a substitute that when the House do adjourn, it adjourn until 10 o'clock Saturday. Motion carried.

Mr. Hogg offered House Resolution No. 7, which was read the first time, as follows:

Be it Resolved by the House of Representatives of the Eighth Legislative Assembly for the Territory of Oklahoma.

Whereas, by Council Concurrent Resolution No. 1, passed by the House on January 19, 1905, the President of the Council and the Speaker of the House are authorized and directed to enter upon and into a contract, on the part of the Territory, for the printing of the Eighth Legislative Assembly:

Whereas: This matter involves the expenditure of many thousands of dollars of the money of the tax payers of this Territory, and the people of the Territory and their Representatives, in this House, are entitled to know what prices are being paid for this printing:

Now, Therefore, be it resolved by the House of Representatives that the Speaker of this House be requested and directed to make a report in writing to the House on or before the first day of February, 1905, and in this report to fully set forth what, if anything, has been done by the Honorable President of the Council and the Honorable Speaker of the House by virtue of the authority given them under Council Concurrent Resolution No. 1, and if a contract has been made to set up in his report a full copy thereof, and to include in said report a copy of the contract heretofore made by the Secretary of Oklahoma Territory with the State Capital Printing Company, which last contract was mentioned in said Council Concurrent Resolution No. 1, and the price fixed therein made the maximum price to be paid under the contract authorized to be made by the President of the Council and the Speaker of the House, on the part of the Territory.

The following bills were read the second time and referred to Committees:

Council Bill No. 1, Committee on Judiciary.

Council Bill No. 7, Committee on Judiciary.

Council Bill No. 12, Committee on Judiciary.

House Bill No. 132, Committee on Drainage and Irrigation.

House Bill No. 133, Committee on Regulation of Liquor Traffic.

House Bill No. 134, Committee on Compensation of Public Officers.

House Bill No. 135, Committee on Appropriations.

House Bill No. 136, Committee on Quarantine.

House Bill No. 137, Committee on Education.

House Bill No. 138, Committee on Municipal Corporations.

House Bill No. 139, Committee on Sanitary Affairs.

House Bill No. 140, Committee on Judiciary.

House Bill No. 141, Committee on Criminal Jurisprudence.

House Bill No. 142, Committee on Criminal Jurisprudence.

House Bill No. 143, Committee on County and Township Organization.

House Bill No. 144, Committee on Agriculture.

The Committee on Asylums and Public Charities reported as follows:

... Speaker:

The Committee on Asylums and Public Charities recommend that Committee Substitute for House Bill No. 84 do pass.

W. W. DANIELS,

Chairman.

Mr. Noffsinger moved that the House adjourn for the purpose of committee work. The motion was carried.

JESSE B. NORTON,

Speaker.

NINETEENTH DAY

Guthrie, Oklahoma Territory,

Saturday, January 18, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer was offered by the Chaplain.

Upon roll call all members were present except Ballinger, Bryan, Fuller, Ingmire, Jester, McBride and Robinson, excused by the Speaker.

The minutes of the previous day were read and approved.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Concurrent Resolution No. 3, which has passed the Council, and Council Bill No. 4.

J. P. JAYNE,
Chief Clerk.

Council Bill No. 4 was read the first time.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bill No. 113, as amended by the Committee do pass, House Bill No. 116 do pass, House Bill No. 59 do pass, House Bill No. 39 as amended do pass, House Bill No. 50 do pass, House Bill No. 123 do not pass, and that Council Bills Nos. 1 and 7 be transmitted to the Council that they may comply with Rule 19.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Private Corporations reported as follows:

Mr. Speaker:

The Committee on Private Corporations recommend that House Bills Nos. 83 and 45 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means recommend that House Bill No. 25 do not pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

The Committee on Railroads reported as follows:

Mr. Speaker:

The Committee on Railroads recommend that House Bill No. 62 be printed and be placed on the Calendar.

WESLEY TAYLOR,
Chairman.

The report was adopted.

The Committee on County and Township Organization reported as follows:

Mr. Speaker:

The Committee on County and Township Organization recommend that House Bill No. 69 do pass and that House Bills No. 110 and No. 143 do not pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 60 correctly engrossed.

B. B. BONE

Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that House Bill No. 128 do pass.

W. N. WALKER,

Chairman.

The report was adopted.

House Resolution No. 7 was read the second time.

Mr. Ferris moved the Resolution be adopted as read.

Upon roll call the vote resulted: Ayes: Craig, Ferris, Hogg, Levy, Logan, Lydick, Maxwell, 7; nays: Becker, Bone, Daniels, Gandy, Gayman, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 12; absent: Ballinger, Bryan, Fuller, Ingmire, Jester, McBride and Robinson, 7. The motion was lost,

The following bills were introduced and read the first time:

House Bill No. 156, by Mr. Daniels.

House Bill No. 157, by Mr. Noffsinger.

House Bill No. 158, by Mr. Hogg.

House Bill No. 159, by Mr. Hogg.

House Bill No. 160, by Mr. Prouty.

House Bill No. 161, by Mr. Prouty.

House Bill No. 162, by Mr. Craig.

House Bill No. 163, by Mr. Logan.

Mr. Taylor introduced House Joint Resolution No. 5 as follows:

"Resolved: That January 29 be recognized as McKinley Day, a committee of three be appointed by the House, and the Council be requested to appoint a like committee, to prepare a program for Monday, January 30, (January 29 being Sunday) afternoon, and that the

two Houses sit together to carry out that program; should the Council refuse to acquiesce, that the Committee of the House act independently."

Upon motion that the rules be suspended and the resolution can be adopted, the roll call resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 19; absent, Ballinger, Bryan, Fuller, Ingmire, Jester, McBride, Robinson, 7. The motion carried.

House Joint Resolution No. 5 was read the second time and adopted upon roll call as follows: Ayes: Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Ross, Taylor, Walker, Woods, Mr. Speaker, 19; absent, Ballinger, Bryan, Fuller, Ingmire, Jester, McBride and Robinson, 7.

The Speaker in compliance thereto, appointed the following Committee: Mr. Ross, Mr. Becker, Mr. Hogg.

The following bills were read the second time and referred to committees:

House Bill No. 145, Committee on Elections and Legislative Apportionment.

House Bill No. 146, Committee on Ways and Means.

House Bill No. 147, Committee on Ways and Means.

House Bill No. 148, Committee on Education.

House Bill No. 149, Committee on Education.

House Bill No. 150, Committee on Agriculture.

House Bill No. 151, Committee on Agriculture.

House Bill No. 152, Committee on Education.

House Bill No. 153, Committee on Roads and Highways.

House Bill No. 154, Committee on County and Township Organization.

House Bill No. 155, Committee on Roads and Highways.

Upon motion by Mr. Wood that the House adjourn, the roll was called and resulted: Ayes: Becker, Craig, Ferris, Gayman, Hogg, Levy, Logan, Maxwell, Noffsinger, Prouty, Taylor, Walker, Wood, Mr. Speaker, 14; nays: Bone, Daniels, Gandy, Ross, 4; absent, Ballinger, Bryan, Fuller, Ingmire, Jester, Lydick, McBride and Robinson, 7.

The motion carried and the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the chair.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried.

The Speaker invited Mr. Bone to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration House Bill No. 54, recommend that the same do pass as amended by the Committee, and House Bill No. 71 do pass.

The report was adopted.

Mr. Daniels asked that the records be corrected in regard to his mileage. The Speaker ordered the correction made.

Mr. Noffsinger moved that when the House do adjourn it adjourn until Monday, 2 o'clock P. M., January 30, 1905. The motion carried.

Upon motion by Mr. Becker the House adjourned.

JESSE B. NORTON,
Speaker.

TWENTIETH DAY

Guthrie, Oklahoma Territory,

Sunday, January 29, 1905.

NO SESSION.

TWENTY-FIRST DAY

Guthrie, ~~Oklahoma~~ Territory,

Monday, January 30, 1905.

AFTERNOON SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer was offered by the Chaplain.

Upon roll call all members were present except Mr. Jester, excused.

The Journal of January 28 was read and approved.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bill No. 91 do not pass.

JOHN INGMIRE,
Chairman.

Mr. Daniels moved that as a substitute to the report of the Committee on Agriculture, the bill be placed on the Calendar. The motion was lost.

The report of the Committee on Agriculture was adopted.

The Committee on Fish and Game asked for and was granted further time to report.

The following bills were introduced and read the first time:

House Bill No. 164, by Mr. Levy.

House Bill No. 165, by Mr. Bryan.

House Bill No. 166, by Mr. Ballinger.

House Bill No. 167, by Mr. Logan.

House Bill No. 168, by Mr. Ballinger.

Mr. Noffsinger offered Hotise Joint Resolution No. 6 as follows:

"Be it Resolved by the Eighth Legislative Assembly of the Territory of Oklahoma that,

"Whereas, the Territory of Oklahoma has a considerable amount of funds in the suspended Capitol National Bank of Guthrie; and,

"Whereas, the people of Oklahoma are desirous of knowing the condition of said institution and the probability of recovering said funds;

"Therefore, Be it Resolved, that the Eighth Legislative Assembly of the Territory of Oklahoma most respectfully petition and request, that you permit a committee from the Legislature to examine into the condition of the suspended Capitol National Bank of Guthrie in so far as the funds of the Territory of Oklahoma are concerned; and,

"Be it Further Resolved, that a copy of these resolutions be transmitted to President Roosevelt, Honorable B. S. McGuire, and the Comptroller of the Currency."

Mr. Ferris offered House Concurrent Resolution No. 4, as follows:

"Be it Resolved by the House of Representatives of the Eighth Legislative Assembly, the Council concurring therein, that

"First: The condition of Oklahoma and Indian Territory are sorely in need of immediate statehood and our conditions will eminently warrant the same at the present term of Congress, and,

"Whereas, the Senate of the United States is soon to take a vote on said measure, which is of great importance to every citizen of the two Territories, and,

"Whereas, both and all of the great political parties of this fair Territory have views similar, and the same, and are in all things agreed that such a measure is vitally important, and that such a measure do pass at this term of Congress, and,

"Whereas, both and all of said political parties have in unison and accord voiced their sentiments in massed convention, and as the Eighth Legislative Assembly and as individuals, irrespective of party lines or affiliations, memorializing, requesting and imploring our American Congress of this greatly needed legislation, and,

"Whereas, it is verily believed by each and every member of the Eighth Legislative Assembly, that is the universal disposition and believe and desire of each and every citizen in his district, that immediate statehood is needed and that the bill should pass at this session.

"Wherefore, Be it Resolved that the Speaker of the House of Representatives of the Eighth Legislative Assembly be empowered and requested to appoint a committee of four men from this body, composed of two Democrats and two Republicans, and in addition thereto the Speaker of this body be, by virtue of his office, a member ex officio and,

"Be it Further Resolved, that the President of the Council be authorized and requested to appoint a committee of four members of that honorable body, two of which shall be Democrats and two of which shall be Republicans, and further, that by reason of and by virtue of his said office, he be a member ex officio, and,

"Be it Further Resolved, that said Committee in the aggregate consists of ten members, consisting of five members from each of said respective bodies, and,

"Be it Further Resolved, that said committee at once proceed or as soon as practicable, proceed to Washington, D. C. to intercede, assist, implore and make known the universal desire of this entire commonwealth for immediate statehood for Oklahoma and Indian Territory, and to further lay the conditions before the honorable President of the United States, to the end that he may interest himself concerning our welfare and our right to immediate admission to the union; to further intercede and implore Senator Beveridge to again resume his task of procuring statehood, that he do not at this critical time desist from further assistance, as is possible so to do, to bring about the much needed and universally sought for legislation."

A message was received from the Governor which was read by the reading clerk of the House.

GOVERNOR'S QUARANTINE MESSAGE.

To the Eighth Legislative Assembly of Oklahoma.

Gentlemen:

It has never been my purpose to attempt to dictate policies to the Legislative Assembly, or to try to in any way control its acts, except to work in harmony for the best interest of the Territory. Under no circumstances would I offer suggestions upon pending legislation except in matters where certain interests of vital importance to the people demand, as I believe, most careful consideration.

The quarantine measure which is still before one branch of this Assembly is a good bill in many respects. It is a step forward and good as far as it goes, but, in my judgment, it does not meet all the requirements of the people who live in the localities where quarantine restrictions are most needed. The northeastern portion of the Territory is very much benefitted by the pending bill. The Otoe Reservation, having, during the past, been outside of quarantine protection, has been a menace to the stock interests of that part of the Territory, but that danger is guarded against by the pending measure which brings the Otoe Reservation under the protection of quarantine regulations.

The Federal quarantine line follows the Santa Fe road through a greater portion of the Territory from north to south. The Territorial line extends along the eastern line of the Territory between Pawnee and Pottawatomie counties. Between the Federal and the Territorial lines are several counties and portions of counties in which there is more or less infection. Efforts have been made from time to time with the Federal authorities to have the Federal line moved east to the Territorial line. The answer invariably is that the country between the two lines is infected and that the Federal line cannot be moved until at least the area between the lines is disinfected.

The measure now pending in the Assembly does not relieve the situation in Cleveland, Oklahoma, Logan, Lincoln, Payne and Pawnee counties. The proposed change does not materially affect these counties, but practically leaves them as they are under the present law. The

pending bill leaves the line east of these counties where it now is open at a certain season of the year, and the people in the counties named derive no additional benefits from the contemplated change. The open season prevails under the present law. The open season prevails under the law proposed in the pending bill. As long as the open season is continued, the country between the Federal and Territorial lines will remain infected and the farmers of Cleveland, Oklahoma, Logan, Lincoln, Payne and Pawnee counties will be the sufferers. It has been suggested to me that one special benefit would result to the counties named in the event of the Osage country being included, as it would give the local stock raiser an opportunity to pasture his cattle in that reservation in the summer and return them to the counties to feed in the winter without inspection. But there would be but little advantage in that, as the Live Stock Sanitary Board would have to maintain sublines and hold the Osage country as a restricted district under quarantine regulations, and cattle moved from there into the counties would have to be moved by inspection.

(It has been reported that the bill has been amended in one branch of the Assembly so as to include the open season. There are two propositions to consider in relation to this matter. The open season would mean the importation of southern cattle to furnish an increased market for the products of the oil mills. Again, the open season would mean continued infection. "The greatest good to the greatest number," is the problem for the Assembly to solve. In my judgment, the advantages derived from the market thus created would be more than offset by the evils resulting from continued infection.)

However, I do not want to be understood as offering an objection to this part of the bill as a whole. The only objection that could be consistently urged is that it does not extend its provisions quite far enough.

THE OSAGE RESERVATION.

In my message to this Assembly, I recommended that the quarantine lines be extended around the Osage country. At that time it was my impression that the grazing leases in that reservation would expire

next spring and that no more such leases would be executed. It was reported that the lands would be allotted and that the big pastures would be broken up.

After the message was in print, and too late to eliminate the recommendation relative to the Osage Reservation, I received a telegram from the Interior Department, requesting that the matter be taken up with the Legislature and that no legislation affecting the reservation be enacted. Later on, in response to my answer to the telegram, a letter came from the Department stating that quarantine restrictions covering the Osage Reservation would interfere with leasing the lands and deprive the Indians from the benefit of rentals amounting to several hundred thousand dollars.

The matter of jurisdiction was submitted to the Attorney General for an opinion. The opinion is attached and made a part of this supplemental message. Your attention is specifically called to that portion of the opinion which defines the authority of the Federal government over Indian property based upon the latter paragraph of Section One in the Organic Act, which clearly indicates that the Federal government has jurisdiction over the Indian lands and property, and that all conflicting legislation would be void.

To show what steps are being taken by the government, a dispatch from Pawhuska to the Wichita Eagle is herewith inserted:

"Pawhuska, O. T., Jan. 27—For some time considerable conjecture has been indulged in among our citizens as to the probability of the national pastures being opened this year for the grazing of the southern cattle.

"The Commissioner of Indian Affairs has advertised for sealed proposals. This action is probably the direct result of the wishes of the Osages themselves.

"While the late delegation was at Washington, the question was canvassed in the presence of Commissioner Leupp, and it was decided that, inasmuch as allotment is hanging fire longer than was at first anticipated, and if the bill passes at all it will be at such a late hour

as to preclude the possibility of the allottee handling his lands to any advantage whatever, they therefore made the recommendation.

"Bids will be received at the office of the Commissioner of Indian Affairs at Washington, D. C., until 2 o'clock, February 2. They must be accompanied by a certified check to the amount of the same. No minimum price has ever been fixed, but it has not been the custom of recent years to lease for less than twenty-five cents an acre.

"The Osage Reservation contains 160 pastures, ranging in size from a few acres to one of 24,000 acres."

The Seventh Legislative Assembly passed a quarantine bill. Those who were promoting it forgot to give consideration to the matter of government contracts that might be affected by it. The bill could not become a law.

In my judgment, it would be well to profit by past experience and do the best thing possible under existing circumstances, and that would be to amend the pending measure so as to not conflict with the Federal government, and extend quarantine restrictions as far as conditions will permit.

Very respectfully,

T. B. FERGUSON,
Governor.

Mr. Gandy moved that the message be referred to the Committee on Quarantine.

Mr. Maxwell moved, as a substitute to Mr. Gandy's motion that the message be referred to a Committee of the Whole, to be considered when the quarantine bill is taken up. The motion carried.

The following bills were read the second time and referred to Committees:

House Bill No. 156, Special Committee on Constitutional Convention.

House Bill No. 157, Committee on Railroads.

House Bill No. 158, Committee on Railroads.

House Bill No. 159, Committee on Railroads.

House Bill No. 160, Committee on Sanitary Affairs.

House Bill No. 161, Committee on Roads and Highways.

House Bill No. 162, Committee on Appropriations.

House Bill No. 163, Committee on Regulation of the Liquor Traffic.

Mr. Noffsinger moved that the House take a recess for the purpose of carrying out a program that had been prepared in observance of McKinley Day, in compliance with House Joint Resolution No. 6.

The House reconvened.

On motion of Mr. Lydick, the House adjourned until 10 o'clock A. M., January 31, 1905.

JESSE B. NORTON,
Speaker.

TWENTY-SECOND DAY

Guthrie, Oklahoma Territory,

Tuesday, January 31, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

Upon roll call all members were present except Mr. Jester and Mr. Bone, excused.

The Journal of the preceding day was read and approved.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House, Council Joint Resolution No. 4, which has passed the Council,

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 71 and 54 correctly engrossed.

B. B. BONE,
Chairman.

By J. P. GANDY.

Upon motion the report was adopted.

The Committee on Fish and Game reported as follows:

Mr. Speaker:

The Committee on Fish and Game report and recommend that House Bill No. 20 be printed and placed on the Calendar.

FRANK PROUTY,
Chairman.

Upon motion the report was adopted.

Mr. Speaker:

The Committee on Regulation of the Liquor Traffic report and recommend that the Committee Substitute for House Bill No. 133 do pass.

JOHN J. GAYMAN,
Chairman.

Mr. Maxwell called up the report of the Committee on County and Township Organization on House Bill No. 110 and moved that it be reconsidered: The motion carried.

Mr. Robinson moved that House Bill No. 110 be printed and placed on the Calendar. The motion carried.

Mr. Daniels called up the report of the Committee on Agriculture on House Bill No. 91 and moved that it be reconsidered. The motion carried.

Mr. Daniels moved that House Bill No. 91 be printed and placed on the Calendar. The motion carried.

House Joint Resolution No. 6 was read the second time.

Mr. Noffsinger moved the adoption of House Joint Resolution No. 6.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, Mr. Speaker, 23; absent, Bone, Walker, Jester, 3. The motion carried.

House Concurrent Resolution No. 4 was read the second time

Mr. Gandy moved to amend the resolution by making the number of members of the committee from the House double the number appointed from the Council.

Mr. Lydick moved, as a substitute for all motions pending, that not less than two or more than four, an equal number of which shall be democrats and republicans, be appointed as members of the Special Committee provided for in House Concurrent Resolution No. 4. The motion carried.

Mr. Lydick moved that the resolution as amended be adopted.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, McBride, Prouty, Taylor, Woods, 17; nays: Daniels, Maxwell, Noffsinger, Ross, 4; absent and not voting: Norton and Robinson, 2; absent: Jester and Bone, 2.

Mr. Speaker did not want to vote, being, according to the provisions of the resolution, an ex-officio member of the committee to be appointed. Mr. Lydick moved that under the circumstances, the Speaker be excused from voting. Mr. Lydick put the motion, which carried.

The following bills were introduced and read the first time:

House Bill No. 169, by Mr. Prouty.

House Bill No. 170, by Mr. McBride.

House Bill No. 171, by Mr. Robinson.

House Bill No. 172, by Mr. Levy.

House Bill No. 173, by Mr. Levy.

House Bill No. 174, by Mr. Hogg.

Mr. Lydick introduced House Resolution No. 7 as follows:

"Be it Resolved by the House of Representatives of the Eighth Legislative Assembly:

"Whereas, from the west comes the saddened news that the darkness of death has come to a friend and left the home of our fellow member, Hon. J. A. Jester, in tears—all that was once his cherished baby daughter now reclines in the 'Windowless Palace of Rest'—and with his beloved and faithful wife and family mourns the loss of the pure, angelic spirit, which on Sunday night fled from his baby daughter to its home beyond the skies.

"Therefore, be it resolved, that the members of this House all bow down with our brother in his sorrow and assure him that we mingle

with his tears, our tears, and yet hope and trust that better days may soon dawn and all sadness vanish and change to smiles.

"That these resolutions be spread upon the minutes and a copy of the same be transmitted by the Chief Clerk to the bereaved family."

Mr. Lydick moved that the rules be suspended and the resolution adopted.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, Mr. Speaker, 23; absent, Bone, Jester, Walker, 3. The motion carried.

The resolution was read the second time.

Mr. Daniels moved the adoption of the resolution as read.

Upon roll call the vote resulted: Ayes Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, Mr. Speaker, 23; absent, Bone, Jester, Walker, 3.

Mr. Ballinger moved as a further mark of respect to Mr. Jester that the House adjourn. The motion carried.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment, with the Speaker in the chair.

By unanimous consent Mr. Lydick introduced House Resolution no. 8 as follows:

"Whereas, the Standard Oil Company has under its control a practical monopoly of the refining, transportation and sale of crude oil in the United States, and thereby a monopoly of the markets of the land for refined oil and its by-products, and is also able to dictate and control the price paid to producers from crude oil, and the price exacted from consumers of refined oil and the by-products thereof; and,

"Whereas, said Standard Oil Company controls the price of refined petroleum, gasoline and other oils throughout the Territory of

Oklahoma, and also fixes the price paid for crude oil to the oil producers of Oklahoma, and is forcing the price thereof down below the cost of production; and,

"Whereas, the proven field of Oklahoma already shows that this Territory is underlaid with a vast body of crude oil, only waiting the enterprise of man for its development, and,

"Whereas, in said proven fields are thousands of acres of school and other public lands, held in trust by this Territory for the people of Oklahoma and the future generations thereof, and it is greatly to be desired that such natural resources be fostered, developed and preserved for the benefit of her people;

"Therefore, be it resolved by the House of Representatives of the Eighth Legislative Assembly of the Territory of Oklahoma, that the Committee on Ways and Means is hereby instructed and directed to prepare and report to this House, without delay, a suitable bill looking to the erection of an oil refinery to be owned, managed, operated and conducted by the Territory of Oklahoma, for the benefit of her people, the development of her natural resources, and to preserve her natural wealth from being seized by the Standard Oil Company and other trusts, to the end that the producers of oil may secure an adequate price therefor, and the consumers thereof secure the same at a reasonable and proper price."

By unanimous consent Mr. Ballinger introduced House Bill No. 175, which was read the first time.

Mr. Bryan moved that the House resolve itself into a Committee of the Whole for the purpose of considering House Bill No. 23, special order. The motion carried.

The Speaker called Mr. Gandy to the chair.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House, substitute for Council Bill No. 64, Council Bills Nos. 19, 27, 18, 14, 13, 23, 47 and 36, which have passed the Council.

J. P. JAYNE,

Chief Clerk.

The following Council Bills were read by the Clerk: Substitute for Council Bill No. 64, Council Bills Nos. 19, 27, 18, 14, 13, 23, 47 and 36.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration House Bill No. 23, special order, recommend that it be referred to a special committee, consisting of five members, which shall be appointed by the Speaker, and that the author of the bill shall be made chairman of the said special committee.

Mr. Ross moved that the report of the committee be adopted.

Mr. Maxwell moved as a substitute to all motions pending, that House Bill No. 23 be engrossed and placed upon its third reading.

Upon roll call the vote resulted: Ayes: Bryan, Craig, Ferris, Fuller, Hogg, Levy, Logan, Lydick, Maxwell, Robinson, 10; nays: Ballinger, Becker, Gandy, Gayman, Ingmire, McBride, Prouty, Ross, Taylor, Wood, Mr. Speaker, 11; absent, Bone, Jester, Walker, 3. The motion was lost.

Mr. Lydick offered in lieu of the report of the Committee of the Whole on House Bill No. 23 that the same be made a special order for February 3, 1905, at 2 o'clock P. M.

Upon roll call the vote resulted: Ayes: Bryan, Craig, Ferris, Hogg, Levy, Logan, Lydick, Maxwell, Robinson, 9; nays: Ballinger, Becker, Daniels, Gandy, Gayman, Ingmire, McBride Noffsinger, Prouty, Ross, Taylor, Wood, Mr. Speaker, 13; absent: Bone, Walker, Jester. 3. The motion was lost.

The report of the Committee of the Whole was adopted.

Mr. Maxwell moved that the special committee, to be appointed by the Speaker, be requested to report back to the House not later than next Monday morning. The motion carried.

The Speaker appointed as the special committee, provided for in the report of the Committee of the Whole, Mr. Bryan, Mr. Levy, Mr. Ross, Mr. Ingmire and Mr. Prouty.

The Speaker announced the following as members of the committee to visit the various Territorial institutions: Mr. Becker, Mr. McBride, Mr. Jester, Mr. Maxwell and Mr. Prouty.

The Speaker announced the following special committee on House Bill No. 156, providing a constitutional convention: Mr. Ross, Mr. Ballinger, Mr. Noffsinger, Mr. Becker, Mr. Logan, Mr. Bryan, Mr. Robinson.

The following bills were read the second time and referred to committee:

Council Bill No. 4, to Committee on Quarantine.

House Bill No. 164, to Committee on Education.

House Bill No. 165, to Committee on Ways and Means.

House Bill No. 166, to Committee on Ways and Means.

House Bill No. 167, to Committee on Judiciary.

House Bill No. 168, to Committee on Regulation of the Liquor Traffic.

The roll call on the final passage of House Bill No. 60 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Woods, Mr. Speaker, 21; nays: Robinson, 1; absent: Bone, Jester, Walker, 3.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

The roll call on the final passage of House Bill No. 54 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Taylor, Woods, Mr. Speaker, 20; present and not voting: Noffsinger, 1; absent: Bone, Fuller, Jester, Ross, Walker, 5.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

The roll call on the final passage of House Bill No. 71 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Robinson, Taylor,

Woods, 17; nays: Daniels, Gandy, Ingmire, Ross, Mr. Speaker, 5; absent: Bone, Jester, Maxwell, Walker, 4.

Mr. Noffsinger explained his vote, saying, "I have a communication from a party, experienced in boring oil wells, who says that to plug the well, as provided in this bill, is all right; the other provisions of the bill he does not recommend, and I vote for the bill, really only supporting that portion of it."

Mr. Speaker declared the bill passed and the enacting and entitling clauses agreed to.

Upon motion of Mr. Noffsinger, the House adjourned until 10 o'clock A. M., February 1, 1905.

JESSE B. NORTON,
Speaker.

TWENTY-THIRD DAY

Guthrie, Oklahoma Territory,

Wednesday, February 1, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the Chair.

Prayer by the Chaplain.

Upon roll call all members were present except Mr. Jester and Mr. Bone, excused.

The journal of the previous day was read and approved.

Mr. Ballinger offered two petitions, which by unanimous consent, were read by the clerk and placed on file.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means recommend that House Bills Nos. 103 and 166 do pass, and that House Bills Nos. 147, 101, 105, 146, 130, 102 and 165 do not pass.

DYKE BALLINGER,
Chairman.

Mr. Bryan moved the adoption of the report of the committee, except in so far as the report related to House Bill No. 165.

Mr. Lydick offered, as an amendment to Mr. Bryan's motion, that the committee report House Bill No. 102 do pass.

Mr. Ballinger moved, as a substitute to all motions pending, that the report of the committee be adopted. The report was adopted.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Judiciary Committee recommend that House Bills Nos. 77, 4, and 51 do not pass, and that House Bill No. 167 and Council Bill No. 1 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Private Corporations reported as follows:

Mr. Speaker:

The Committee on Private Corporations recommend that Council Bill No. 7 do pass, and House Bill No. 4 do not pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Criminal Jurisprudence reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence recommend that House Bill No. 33 do not pass, and that House Bills Nos. 31, 43 and 141 do pass.

J. P. BECKER,
Chairman.

The report was adopted.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bill No. 144 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Roads and Highways reported as follows:

Mr. Speaker:

The Committee on Roads and Highways recommend that House Bills Nos. 161, 155 do pass; 63 and 125, as amended, do pass.

W. W. DANIELS,
Chairman.

The report was adopted.

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 121 do pass.

C. E. WOODS,
Chairman.

The report was adopted.

Upon motion by Mr. Ross, to suspend the rules and allow House Bill No. 121 to pass to its third reading and final passage, the vote on roll call resulted: Ayes: Ballinger, Becker, Craig, Hogg, Ingmire, Levy, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Woods, Mr. Speaker, 19; nays: Lydick and Maxwell, 2; present and not voting, Bryan and Logan, 2; absent, Bone, Gayman and Jester, 3.

The roll call on the final passage of House Bill No. 121 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Levy, Lydick, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker 21; absent, Bone, Gayman, Jester, Logan, 4; present and not voting, Maxwell, 1.

The Committee on Drainage and Irrigation reported as follows:

Mr. Speaker:

The Committee on Drainage and Irrigation recommend that House Bill No. 132 do pass.

J. P. GANDY,
Chairman.

The report was adopted.

House Joint Resolution No. 9 was read the third time.

Mr. Ferris moved the adoption of the resolution. The motion was lost.

Upon third reading and roll call on motion to adopt Council Resolution No. 4, the vote resulted: Ayes: Craig, Ferris, Fuller, Hogg, Levy, Logan, Lydick, Maxwell, Robinson, 9; nays: Ballinger, Becker, Daniels, Gandy, Gayman, Ingmire, McBride Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 14; absent, Bone, Bryan, Jester, 3.

The following bills were introduced and read the first time:

House Bill No. 176, by Mr. Ross.
House Bill No. 177, by Mr. Ross.
House Bill No. 178, by Mr. Ross.
House Bill No. 179, by Mr. Ross.
House Bill No. 180, by Mr. Ross.
House Bill No. 181, by Mr. Ingmire.
House Bill No. 182, by Mr. Ballinger.
House Bill No. 183, by Mr. Craig.

The following bills were read the second time and referred to committees:

Council Bill No. 23, Committee on Quarantine.
Council Bill No. 47, Committee on Railroads.
Council Bill No. 27, Committee on Municipal Corporations.
Council Bill No. 18, Committee on Banks and Banking.
Council Bill No. 14, Committee on Education.
Council Bill No. 13, Committee on Education.
Council Bill No. 19, Committee on Fish and Game.
Council Bill No. 36, Committee on Criminal Jurisprudence.
Council Bill No. 64, Committee on Municipal Corporations.
House Bill No. 169, Committee on Municipal Corporations.
House Bill No. 171, Committee on Ways and Means..
House Bill No. 172, Committee on Judiciary.
House Bill No. 173, Committee on Ways and Means.
House Bill No. 174, Committee on Judiciary.
House Bill No. 175, Committee on Education.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Resolution No. 4, which has been adopted by the Council.

J. P. JAYNE,
Chief Clerk.

Upon motion by Mr. Noffsinger, the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the chair.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering House Bill No. 41, special order, House Bill No. 84 and other bills on the calendar. The motion carried and the Speaker asked Mr. Ballinger to the chair.

The Committee of the Whole arose and reported.

Mr. Speaker:

The Committee of the Whole having had under consideration House Bill No. 41, special order, recommend that the substitute House Bill No. 41, as read, be printed, and with all other bills relating to the same subject, be made special order for February 10, at 2 o'clock P. M.

Mr. Maxwell moved that the report of the Committee of the Whole be adopted. The motion carried.

Mr. Daniels moved that the House reconsider its vote to go into a Committee of the Whole for the purpose of considering House Bill No. 84. The motion carried.

Mr. Lydick moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the calendar. The motion carried and the Speaker called Mr. Ballinger to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the calendar, recommend that House Bill No. 61 as amended do pass, House Bill No. 89 be recommitted to the Committee on Ways and Means, House Bill No. 109 do pass, and House Bill No. 72 be passed over for the day but retain its place on the calendar.

The report was adopted.

The Committee of the Whole reported on House Bill No. 6, that the same be placed on its third reading and final passage.

Mr. Lydick moved that the report be adopted.

Mr. Gandy called for a vote by roll call, which resulted: Ayes: Ballinger, Bryan, Craig, Ferris, Fuler, Levy, Logan, Lydick, Maxwell, McBride, Robinson, 11; nays: Becker, Daniels, Gandy, Gayman, Hogg,

Ingmire, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 13; absent, Bone, Jester 2. The motion was lost.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Joint Memorial No. 4 correctly engrossed.

B. B. BONE,
Chairman.

By J. P. GANDY.

The report was adopted.

Mr. Logan called up the report of the Committee on Ways and Means, on House Bill No. 105, and moved that the report be reconsidered. The motion carried.

Mr. Robinson moved, as a substitute for the report of the Committee on Ways and Means, that the bill be printed and placed on the calendar. The motion carried.

Upon motion by Mr. Ballinger the House adjourned until 10 o'clock A. M., February 2, 1905.

JESSE B. NORTON,
Speaker.

TWENTY-FOURTH DAY

Guthrie, Oklahoma Territory,

Thursday, February 2, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain.

Upon roll call, all were present except Bone and Jester, excused.

The Journal of the previous day was read and approved.

The Speaker signed House Joint Resolution No. 4 and ordered it transmitted to the Council for the signature of Mr. President.

Mr. Lydick offered a petition which was received and placed on file.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bills Nos. 21, 129, 122, 152, and 126 do pass and House Bills Nos. 42 and 85 do not pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Railroads reported progress and asked for an extension of time, which was granted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 82 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Sanitary Affairs reported as follows:

Mr. Speaker:

The Committee on Sanitary Affairs recommend that House Bill No. 160 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine recommend that Council Bill No. 4 do pass.

W. N. WALKER,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 184, by Mr. Levy.

House Bill No. 185, by Mr. Levy.

House Bill No. 186, by Mr. Levy.

House Bill No. 187, by Mr. Becker.

House Bill No. 188, by Mr. Becker.

House Bill No. 189, by Mr. Wood.

House Bill No. 190, by Mr. Wood.

House Bill No. 191, by Mr. Ballinger.

House Bill No. 192, by Mr. Ingmire.

House Bill No. 193, by Mr. Ingmire.

House Bill No. 194, by Mr. Gandy.

House Bill No. 195, by Mr. Prouty.

House Bill No. 196, by Mr. Walker.

Mr. Becker moved that the rules be suspended, House Bill No. 188 be read the second time, considered referred to the proper committee, reported do pass by the committee, considered engrossed, printed and placed on the Calendar, special order for February 10, at 2 o'clock P. M.

The roll call resulted: Ayes: Ballinger, Becker, Bryan, Craig, Danies, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan,

Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; absent, Bone and Jester, 2.

House Bill No. 188 was read the second time and referred to the Committee on Ways and Means.

At the request of the different members of the House the Speaker ordered House Bills Nos. 103, 43, 167, and 132 placed in their places on the Calendar.

The Speaker stated that hereafter it would be the duty of the chief clerk to take charge of the Calendar and keep it corrected.

Mr. Gandy introduced House Joint Memorial No. 7 asking Congress to grant the maximum pension for blindness to Jared S. Harding of Brule, Oklahoma, whose total blindness resulted from wounds received in the Civil War.

Mr. Gandy moved that the rules be suspended and the memorial adopted.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Craig, Daniels, Ferris, Gandy, Hogg, Ingmire, Logan, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 18; nays: Bryan, Fuller, Maxwell, Robinson, Levy, 5; absent, Bone, Gayman, Jester, 3.

The vote on roll call on the adoption of House Joint Memorial No. 7 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; absent, Bone, Jester, 2.

The motion carried and House Joint Memorial No. 7 was adopted on the part of the House.

A communication, as follows, from the Speaker, was read by the clerk, being the report of the Joint Committee, composed of Mr. Speaker and Mr. President, to contract for all excess printing needed by the Eighth Legislative Assembly:

To the Members of the House of Representatives, Eighth Legislative Assembly of the Territory of Oklahoma:

I have the honor to report that under instructions contained in Council Concurrent Resolution Number 1, I have, on the part of the House entered into a contract with the State Capital Printing Company, of Guthrie, Oklahoma, to do the printing and furnish stationery for the use of the Eighth Legislative Assembly of the Territory of Oklahoma at the prices stipulated in the contract made and entered into by William Grimes, Secretary for the Territory of Oklahoma, on the part of the United States, and F. H. Greer, on the part of the State Capital Printing Company, on the 29th day of December, 1904, copies of both contracts above mentioned being hereto attached.

You will observe from the contract hereto attached, made between said William Grimes and the said F. H. Greer, and made a part of this report, that only four items, namely, composition, paper, press work and folding and stitching, can be charged for.

While the resolution did not call for bids for this printing, I took upon myself to investigate the possibilities of procuring this work at a lower rate than that called for in the contract between the aforesaid Mr. Grimes and the State Capital Printing Company. Upon investigation during the limited time allowed me I found that it would be impracticable, if not impossible, for a printing plant located at any other point in the Territory than Guthrie to do the work required in our daily calendars and bills; the work being of such a nature and so gotten up that but few hours time intervenes between the receipt of the copy by the printer and the hour at which he must deliver the work back to our chief clerk.

I also found that while one or two companies were willing to take the contract at a slightly reduced price on composition; i. e., that they would reduce the price from 60 cents to 55 cents per thousand ems; but they did not confine themselves to the four items enumerated in the government contract, and that the additional items which are not specifically named in the government contract, and for which there is no additional compensation allowed, would make a more expensive contract, in my opinion, than the one which has now been consummated with the State Capital Printing Company.

It has been and will continue to be my endeavor to procure from the State Capital Company such printing as is necessary for the use of the House of Representatives for the least possible money. To show that this is now being done I desire to call your attention to the following comparison.

The calendar for Thursday, February 5th, the 24th 1903, day of the Seventh Legislative Assembly, was so made up as to require thirty-seven pages on which to enumerate, as special orders, general orders, and in the hands of the committees, bills to the number of 125. On Wednesday, February 1st, 1905, the 23rd day of the Eighth Legislative Assembly, the calendar contained but 21 pages and yet enumerated, as special orders, general orders and in the hands of the committees, bills to the number of 149, showing that in spite of the fact that our calendar contained 24 more items in the way of bills a saving of some sixteen pages has been made on printing.

In my efforts to secure an economical administration of all matters pertaining to this body, and especially in regard to printing, I would ask the hearty co-operation of the members of this House. If committees will take particular care to reject such bills as are irrelevant and immaterial, be prompt in reporting such as they consider beneficial, and if the committee of the whole will use dispatch in cleaning up bills on the calendar under general orders it will materially assist in the reduction of the expense of printing.

Respectfully submitted.

JESSE P. MORTON,
Speaker.

The following House Bills were read the second time and referred to Committees.

- House Bill No. 176, Committee on Education.
- House Bill No. 177, Committee on Sanitary Affairs.
- House Bill No. 178, Committee on Ways and Means.
- House Bill No. 179, Committee on Judiciary.
- House Bill No. 180, Committee on Public Lands.
- House Bill No. 181, Committee on Judiciary.
- House Bill No. 182, Committee on Ways and Means.

House Bill No. 183, Committee on County and Township Organization.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried.

The Speaker asked Mr. McBride to take the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you House Joint Resolution No. 4 which has been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the Calendar, recommend that House Bill No. 72 be passed over for the present, but allowed to retain its place on the Calendar, that House Bill No. 13 do pass, and on House Bill No. 22, the Committee report progress and consider further, after special order at 2 o'clock P. M.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 109 and 61 are correctly engrossed.

B. B. BONE,
Chairman.

By J. P. GANDY.

The report was adopted.

Mr. Ferris moved that the House adjourn. The motion carried.

AFTERNOON SESSION

The House convened with the Speaker in the chair.

Mr. Noffsinger moved that the House reconsider the vote whereby it refused the adoption of the Council Concurrent Resolution No. 4. The motion carried.

Mr. Noffsinger moved that the House adopt Council Concurrent Resolution No. 4 be substituted for House Resolution No. 6. The motion carried.

Mr. Noffsinger moved that the House adopt Council Joint Resolution No. 4. Upon roll call the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Maxwell, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 20; nays: Levy, McBride and Robinson, 3; absent, Bone, Jester and Lydick, 3.

By unanimous consent of the House, Mr. Becker introduced House Bill No. 197, which was read the first time.

Mr. Becker moved that the rules be suspended, House Bill No. 197 be read the second time, referred to the Committee of the Whole, reported do pass, be engrossed and placed upon its third reading and final passage.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor,

Mr. Becker moved that the bill be ordered to lie subject to the and final passage.

The bill was read the second time and passed to its third reading Walker, Wood, Mr. Speaker, 23; absent, Bone, Jester, Robinson, 3. will of the Assembly. The motion carried.

The Committee on Public Lands reported as follows:

Mr. Speaker:

The Committee on Public Lands recommend that House Bill No. 106 do pass.

JOHN J. GAYMAN,
Chairman.

The report was adopted.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering special orders. The motion carried and the Speaker asked Mr. Noffsinger to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration Council Bill No. 4, recommend that the same do pass, as substitute for House Bills Nos. 8 and 58.

W. W. NOFFSINGER,
Chairman.

Mr. Gandy moved the adoption of the report of the committee. The motion carried.

Mr. Prouty moved that the rules be suspended and that Council Bill No. 4 be ordered engrossed and passed to its third reading and final passage.

Upon roll call the vote resulted: Ayes: Ballinger, Becker, Craig, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 17; nays: Bryan, Ferris, Levy, Maxwell, McBride, Robinson, 6; absent, Bone, Jester Lydick, 3.

Upon third reading and final passage of Council Bill No. 4, the vote resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Maxwell, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 20; nays: McBride, Robinson and Levy, 3; absent, Bone, Jester, Lydick, 3.

Mr. Bryan explained his vote as follows: "This bill is not what I think it ought to be; it is not what I would like to have it. I would like to have been permitted to offer a simple amendment, which I was not permitted to do. However, the bill offers some relief to my people, in that it is so much better than the law we now have, that I vote 'yes.' "

Mr. Levy explained his vote saying: "I vote 'no,' for the reason that I believe the Governor will veto the bill. I vote 'no' because I believe it will result in no quarantine legislation for the next two years."

Mr. Logan explained his vote saying: "I have a great deal of respect for the Governor of Oklahoma, for his opinion expressed in his message. However, I believe that in case the Governor does veto this bill, we will have time to pass another bill, that will probably suit the Governor, and probably some of these members will by that time see where they stand. Therefore I voted 'aye.' "

The Speaker declared the bill passed and the enacting and entitling clauses agreed to, and ordered the bill transmitted to the Council.

Upon motion by Mr. Walker, the House adjourned until 10 o'clock A. M., February 3, 1905.

JESSE B. NORTON,
Speaker.

TWENTY-FIFTH DAY

Guthrie, Oklahoma Territory,
Friday, February 3, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

Upon roll call all members were present except Mr. Ballinger, Mr. Bone and Jester, excused by the Speaker.

The Journal of the preceding day was read, corrected and approved.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 13 correctly engrossed.

B. B. BONE,
Chairman.

By J. P. GANDY,

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that Council Bill No. 64 be printed and placed on the Calendar; that Council Bill No. 27 do pass; that House Bill No. 108 do pass; and House Bill No. 169 do not pass.

C. E. WOOD,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 198, by Mr. Becker.

House Bill No. 199, by Mr. Walker.

House Bill No. 200, by Mr. Walker.

House Bill No. 201, by Mr. Speaker.

House Bill No. 202, by Mr. Speaker.

The Committee on Drainage and Irrigation reported as follows:

Mr. Speaker:

The Committee on Drainage and Irrigation recommend that House Bill No. 111 do pass.

J. P. GANDY,
Chairman.

The report was adopted.

Mr. Lydick moved that Council Bill No. 7 be referred back to the Judiciary Committee. The motion carried.

The Committee on Railroads reported as follows:

Mr. Speaker:

The Committee on Railroads report that House Bill No. 96 on motion of Mr. Prouty be printed and placed on the Calendar; also a minority report that House Bill No. 96 do pass, signed by O. J. Logan and I. B. Levy.

WESLEY TAYLOR,
Chairman.

Mr. Maxwell moved that the minority report be adopted. The motion carried.

The following bills were read the second time and referred to Committees:

House Bill No. 184, Committee on Ways and Means.

House Bill No. 185, Committee on Judiciary.

House Bill No. 186, Committee on Criminal Jurisprudence.

House Bill No. 187, Committee on Criminal Jurisprudence.

House Bill No. 189, Committee on Municipal Corporations.

House Bill No. 190, Committee on County and Township Organization.

House Bill No. 191, Committee on Quarantine.

House Bill No. 192, Committee on Ways and Means.

House Bill No. 193, Committee on Insurance.

House Bill No. 194, Committee on County and Township Organization.

House Bill No. 195, Committee on Compensation of Public Officers.

House Bill No. 196, Committee on Municipal Corporations.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried.

The Speaker called Mr. Robinson to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the Calendar recommend that House Bill No. 22 do pass as amended.

The report was adopted.

On motion of Mr. Bryan, the House adjourned.

AFTERNOON SESSION

The House reconvened with the Speaker in the chair.

By unanimous consent Mr. Ross introduced House Bill No. 203, which was read the first time.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Memorial No. 7, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed the resolution engrossed.

Mr. Noffsinger moved that the rules be suspended and Council Bill No. 7 be placed upon its third reading and final passage.

The vote on roll call resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 20; absent, Ballinger, Bryan, Jester, Lydick, McBride, Wood, 6. The motion to suspend the rules carried.

The vote on the passage of Council Bill No. 7 resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; absent, Ballinger, Jester, Logan, Wood, 4.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bill No. 49 be substituted for Council Bill No. 12, that House Bill No. 49 do pass and Council Bill No. 12 do not pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bill No. 87 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The vote on roll call on third reading and final passage of House Bill No. 61 resulted: Ayes: Becker, Bone, Bryan, Craig, Ferris, Gandy, Gayman, Ingmire, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 19; nays: Daniels, Noffsinger, 2; absent: Ballinger, Fuller, Jester, Levy, Wood, 5.

The Speaker declared the bill passed and entitling and enacting clauses agreed to.

The vote on roll call on the final passage of House Bill No. 109 resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Notsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; absent, Ballinger, Fuller, Jester, Wood, 4.

Mr. Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Gandy moved that the House resolve itself into a Committee of the Whole for the purpose of considering Bills on the Calendar. The motion carried.

The Speaker called Mr. Ferris to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House Council Joint Resolution No. 4 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

Mr. Speaker signed Council Joint Resolution No. 4.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the Calendar recommend that House Bill No. 55 do pass, House Bill No. 68 do pass, House Bill No. 79 be referred back to the author for amendments, House Bill No. 100 do pass, House Bill No. 104 do pass, House Bill No. 47 do pass as amended, House Bill No. 99 do pass as amended and on House Bill No. 79, the Committee report progress and ask leave to sit again.

The report was adopted.

Mr. Logan moved to have House Bill No. 132 set for February 13, at 2 o'clock P. M. special order. The motion carried.

Mr. McBride moved that when the House do adjourn, it adjourn until 7 o'clock P. M. The motion carried.

Upon motion by Mr. Gandy, the House adjourned.

NIGHT SESSION.

The House reconvened at 7 o'clock with the Speaker in the chair.

The Speaker announced no quorum present.

Upon motion by Mr. Ross the House adjourned until 10 o'clock
A. M., February 4. 1905.

JESSE B. NORTON,
Speaker.

TWENTY-SIXTH DAY

Guthrie, Oklahoma Territory,

Saturday, February 4, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain.

On roll call all members were present except Ballinger, Bryan, excused due to illness, Fuller, Jester and Wood excused by the Speaker.

The Journal of the preceding day was read and approved.

The Committees reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers report and recommend House Bill No. 134 do not pass.

A. McBRIDE,
Chairman.

Upon motion the report was adopted.

Mr. Speaker:

The Committee on Railroads report and recommend: House Bill No. 95 be placed on the Calendar, Council Bill No. 47 do not pass, House Bill No. 159 do pass.

WESLEY TAYLOR,
Chairman.

Upon motion the report of the Committee was adopted.

The following bills were introduced and read the first time:

House Bill No. 204, by Mr. Hogg.

House Bill No. 205, by Mr. Hogg.

House Bill No. 206, by Mr. Noffsinger.

House Bill No. 207, by Mr. Ferris.

House Bill No. 208, by Mr. Speaker.

The following bills were read the second time and referred to the Committees:

House Bill No. 198, Committee on County and Township Organization.

House Bill No. 199, Committee on Ways and Means.

House Bill No. 200, Committee on Appropriations.

House Bill No. 201, Committee on Municipal Corporations.

House Bill No. 202, Committee on Military Affairs.

House Bill No. 203, Committee on Education.

Mr. Speaker:

The Committee on Roads and Highways, report and recommend House Bill No. 11 do pass as amended by the Committee.

W. W. DANIELS,
Chairman.

The report was adopted.

Mr. Lydick moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar.

The motion carried. The Speaker called Mr. Levy to the chair.

A message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House Substitute Council Bill No. 37 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the Calendar report and recommend: House Bill No. 72 be passed over for the present but allowed to retain its place on the Calendar, Council Bill No. 1 do pass as amended, House Bill No. 75 do pass as amended.

I. B. LEVY,
Chairman.

Upon motion the report of the Committee was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 55, 100, 68, and 194 are correctly engrossed.

B. B. BONE,
Chairman.

Upon motion the report was adopted.

Mr. Lydick moved that when the House do adjourn it adjourn until 10 o'clock A. M., Monday, February 6, 1905.

The motion carried.

Upon motion of Mr. Gandy the House adjourned.

JESSE B. NORTON,
Speaker.

TWENTY-SEVENTH DAY

Guthrie, Oklahoma Territory,

Sunday, February 4, 1905.

NO SESSION.

TWENTY-EIGHTH DAY

Guthrie, Oklahoma Territory,

Monday, February 6, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain.

Roll call showed all members present except Mr. Ballinger, Mr. Robinson and Mr. Walker, excused by the Speaker.

The journal of the preceding day was read and approved.

Mr. Bone offered two petitions which were received and placed on file. Petitions were offered by Mr. Ross which were received and placed on file.

The Committee on Criminal Jurisprudence reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence recommend that House Bill No. 17 be substituted for Council Bill No. 36, House Bills Nos. 187 and 114 do pass and House Bill No. 66 do not pass.

J. P. BECKER,
Chairman.

The report was adopted.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bill No. 140 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 99 and House Joint Memorial No. 7 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers recommend that House Bill No. 195 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

Substitute for Council Bill No. 37.

House Bill No. 209, by Mr. Daniels.

House Bill No. 210, by Mr. Ross.

House Bill No. 211, by Mr. Levy.

House Bill No. 212, by Mr. Noffsinger.

House Bill No. 213, by Mr. Bone.

House Joint Resolution No. 8, by Mr. McBride, appropriating fifteen hundred dollars (\$1500.00) for printing five thousand (5000) copies of Governor Ferguson's 1904 report to the Interior Department, was introduced and read for the first time.

The following bills were read the second time and referred to the Committees:

House Bill No. 204, Committee on Ways and Means.

House Bill No. 205, Committee on County and Township Organization.

House Bill No. 206, Committee on Railroads.

House Bill No. 207, Committee on Ways and Means.

House Bill No. 208, Committee on Municipal Corporations.

Mr. Becker moved that the House resolve itself into a Committee of the Whole for the purpose of considering general orders.

Mr. Ferris moved, as a substitute, that the House take up bills on third reading. The motion carried.

The roll call on the final passage of House Bill No. 197 resulted:

Ayes: Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, McBride, Prouty, Ross, Taylor, Mr. Speaker, 18; nays: Daniels and Noffsinger, 2; absent: Ballinger, Hogg, Maxwell, Robinson, Walker, Wood, 6.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

Mr. Lydick explained his vote as follows:

"Mr. Speaker:

"I desire to explain my vote on House Bill No. 197. In my opinion, as heretofore explained, this bill is contrary to acts of Congress and would be void if passed, yet, out of respect to the opinion of the gentleman from Grant County, who thinks otherwise, and in order that the people of Wakita may have the benefit of this Act, if my opinion should be erroneous, I vote 'Aye.'"

Mr. Noffsinger explains as follows:

"Mr. Speaker:

"In my judgment this bill is absolutely void, and I do not believe that it should pass. I would be glad to support this measure, but believing this, I vote 'No.'"

Mr. Bryan moved that House Bill No. 22 be re-committed to the Committee of the Whole for future consideration and report. The motion was lost.

Mr. McBride moved that House Bill No. 22 retain its place on the Calendar until reported properly engrossed. The motion carried.

The roll call on final passage of House Bill No. 55 resulted: ayes: Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, McBride, Prouty, Ross, Taylor, Mr. Speaker, 17; nays: Daniels, Noffsinger, 2; absent: Ballinger, Hogg, Logan, Maxwell, Robinson, Walker and Wood, 7.

The speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Noffsinger explained his vote saying:

"Mr. Speaker:

"I have nothing against the bill. It is simply on account of my position as to the legality of the bill that I vote 'No.'"

The roll call on final passage of House Bill No. 68 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Mr. Speaker, 20; absent, Ballinger, Hogg, Levy, Robinson, Walker and Wood, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 100 resulted: ayes, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Ross, Taylor, Mr. Speaker, 19; nays, Daniels and Noffsinger, 2; absent, Ballinger, Hogg, Robinson, Walker and Wood, 5.

Mr. Bryan explained his vote saying:

"Mr. Speaker:

"If it is likely to be worth anything to the people of that town or community, I am willing to have the Act passed with the understanding that I have, that it does not give it the effect of law; I vote 'Aye.'"

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

The vote on final passage of House Bill No. 104 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Mr. Speaker, 21; absent, Ballinger, Hogg, Robinson, Walker and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on roll call no House Bill No 99 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Mr. Speaker, 21; absent, Ballinger, Hogg, Robinson, Walker, and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The following invitation was presented by Mr. Prouty and accepted:

Guthrie, Oklahoma Territory,

February, 6, 1905.

"To the Honorable Members of the Eighth Legislative Assembly:

"Gentlemen: The Board of Regents, and Faculty of the Oklahoma Agricultural and Mechanical College and the citizens of the city of Stillwater, hereby extend a most cordial invitation to your honorable body, ladies and friends, to visit the Agricultural and Mechanical College, and Experiment Station, on Friday, February 17, 1905. A special train has been provided by the Santa Fe, leaving Guthrie at 7 A. M., returning at 5 P. M.

A. C. SCOTT,

President Agricultural and Mechanical College.

JOHN FIELDS,

Director Oklahoma Agricultural Experiment Station.

FRANK J. WIKOFF,

President Board of Regents.

JOHN YOST,

Mayor of Stillwater.

Upon motion of Mr. Becker the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock with the Speaker in the chair.

The Special Committee on House Bill No. 23 reported as follows:

Mr. Speaker:

The Special Committee recommend that House Bill No. 23 do pass as amended.

MILTON BRYAN,

Chairman.

The report was adopted.

Mr. Bryan moved that House Bill No. 23 be made special order for Wednesday, February 8, at 2 o'clock P. M. The motion carried.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 22 and 75 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On roll call the vote on the final passage of House Bill No. 22 resulted: ayes, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, McBride, Noffsinger, Ross, Wood, Mr. Speaker, 16; nays, Bryan, Fuller, Levy, Lydick, Prouty and Taylor, 6; absent, Ballinger, Maxwell, Robinson and Walker, 4.

Mr. Bryan explained his vote as follows:

“Mr. Speaker:

“I should be glad to vote for this bill, but for one provision, which I fear will be harmful and even disastrous, and that is the provisions, which suspends a bank from operation for failure to file bond within the required time, therefore, I vote ‘No.’”

Mr. Levy explained his vote as follows:

“Mr. Speaker:

“I vote ‘No’ for the reason that I believe the bill is impracticable and cannot be carried out. I vote ‘No’ because it gives the Bank Examiner the right to pass on the bonds given. I vote ‘No’ because I believe it will drive the banks of this Territory out of business.”

Mr. Prouty explained his vote as follows:

“Mr. Speaker:

“I vote ‘No’ for the reason that all the banks in my district will be put out of business by this bill.”

Mr. Logan explained his vote as follows:

"Mr. Speaker:

"I vote 'Aye,' the only thing I regret is that I can't vote to pass a bill affecting National Banks in the same way."

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Lydick moved that Council Bill No. 1 be recommitted to the Committee of the Whole. The motion carried.

The roll call on final passage of House Bill No. 75 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Ross, Taylor, Wood, Mr. Speaker, 21; nays, Hogg, Lydick, 2; absent, Balinger, Robinson, Walker, 3.

Mr. Lydick explained his vote as follows:

"Mr. Speaker:

"I am in favor of the principal features of the bill, but as the bill provides that every dentist shall put a dollar in the pocket of the secretary each year, and give the dental board the power to revoke a license, I vote 'No.'"

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 4, which has passed the Council, for the signature of Mr. Speaker.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bill No. 4 and directed the same to be returned to the Council, for the signature of Mr. President.

Mr. Prouty moved that House Bill No. 13 be placed on its third reading and final passage.

On roll call the vote resulted: ayes, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan,

Lydick, Maxwell, McBride, Prouty, Ross, Taylor, Wood, Mr. Speaker, 21; nays, Daniels, Noffsinger, 2; absent, Ballinger, Robinson, Walker, 3.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

Mr. Becker moved that the House resolve itself into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried. The Speaker called Mr. Fuller to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 22, 28, 43, and 15, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bills Nos. 15, 43, 28, and 22 were read the first time.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration bills on the Calendar report and recommend that House Bills Nos. 72, 48, 49 and 118 remain on Calendar; House Bills Nos. 76 and 17 do pass; House Bills Nos. 2 and 117, and Substitute for House Bill No. 2 be printed and placed on the Calendar, and made special order for Thursday, February 9, at 2 o'clock P. M.; House Bill No. 38 be made special order for February 13 at 2 o'clock P. M.

R. R. FULLER,
Chairman.

The report was dopted.

The roll call on final passage of Council Bill No. 1 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; absent, Ballinger and Robinson, 2.

The Speaker declared Council Bill No. 1 passed, with proposals of amendments, in which the concurrence of the Council is requested.

Upon motion by Mr. Logan the House adjourned until 10 o'clock A. M. February 7, 1905.

JESSE B. NORTON,
Speaker.

TWENTY-NINTH DAY

Guthrie, Oklahoma Territory,

Tuesday, February 7, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Bryan, who was ill and Mr. Ballinger, excused by the chair.

The Journal of the preceding day was read, corrected and approved.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 57, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bill No. 57 was read the first time.

Mr. Ross offered two petitions which were received and placed on file.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that Council Bill No. 13, House Bills Nos. 149, 203 and 164 do pass, and that Council Bill No. 14 and House Bill No. 176 do not pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bills Nos. 150 and 151 do pass.

JOHN INGMIRE,

Chairman.

The report was adopted.

The Committee on County and Township Organization report as follows:

Mr. Speaker:

The Committee on County and Township Organization recommend that House Bills Nos. 190, 183, and 205 do pass. House Bills Nos. 194, 70 and 154 do not pass and House Bill No. 198 do pass as amended.

A. J. ROSS,

Chairman.

The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine recommend that Council Bill No. 23 be substituted for House Bill No. 136 and made special order for Thursday, February 9, at 2 o'clock P. M. with other bills on the same subject.

W. N. WALKER,

Chairman.

The report was adopted.

The Committee on Liquor Traffic reported as follows:

Mr. Speaker:

The Committee on Liquor Traffic recommend that House Bill No. 168 do not pass, and House Bill No. 163 do pass.

JOHN J. GAYMAN,

Chairman.

The report was adopted.

The Committee on Sanitary Affairs reported as follows:

Mr. Speaker:

The Committee on Sanitary Affairs recommend that House Bill No. 139 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

House Joint Resolution No. 8 was read the second time.

Mr. Maxwell moved to amend House Joint Resolution No. 8 by striking out the word five thousand and placing, in lieu thereof, ten thousand. The amendment was adopted.

On motion of Mr McBride, to adopt the resolution as amended, the roll call resulted: ayes, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Ballinger, Bryan, 2.

The Speaker signed the House Joint Memorial No. 7, and directed that the same be transmitted to the Council for the signature of Mr. President.

The following bills were introduced and read for the first time:

House Bill No. 214, by Mr. Levy.

House Bill No. 215, by Mr. Lydick.

House Bill No. 216, by Mr. Speaker.

The following bills were read the second time and referred to committees:

Council Bill No. 37, Committee on Public Buildings.

Council Bill No. 15, Committee on Appropriations.

Council Bill No. 28, Committee on Judiciary.

Council Bill No. 43, Committee on County and Township Organization.

Council Bill No. 22, Committee on Judiciary.

House Bill No. 209 Committee on Judiciary.

House Bill No. 210, Committee on Education.

House Bill No. 211, Committee on Insurance.

House Bill No. 212, Committee on Regulation of Liquor Traffic.

House Bill No. 213, Committee on Judiciary.

Mr. Lydick moved that the House proceed to bills on third reading. The motion carried.

The Committee on Enrolled bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 76 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Roll call on the final passage of House Bill No. 47, resulted: ayes, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent Ballinger, Bryan, Fuller and Logan, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 76, resulted: ayes, Becker, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays, Daniels, 1; absent, Ballinger, Bryan and Logan, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 17, resulted: ayes, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Ballinger, Bryan and Logan, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Upon motion the House adjourned.

AFTERNOON SESSION.

The House was called to order at 2 o'clock P. M., with the Speaker in the chair.

The Committee on Public Buildings report as follows.

Mr. Speaker:

The Committee on Public Buildings recommend that Council Bill No. 37 be substituted for House Bill No. 84 now on the Calendar.

J. P. GANDY,
Chairman.

The report was adopted.

Mr. Ross presented a petition which was placed on file.

The Speaker appointed Mr. Gandy to act in Mr. Ballinger's place on the Ways and Means Committee and Committee on Elections and Legislative Apportionments, until Mr. Ballinger's return.

Mr. Becker moved that the House resolve itself into the Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried and the Speaker called Mr. Logan to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Joint Memorial No. 6, which has passed the Council, also Council Bill No. 1, the Council having refused to concur in House proposal of amendments.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 7, Council Joint Memorial No. 6, and House Joint Memorial No. 7, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bill No. 7, and directed that the same be returned to the Council for the signature of Mr. President.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report and recommend that House Bills Nos. 72, 48 and 49 be passed over for the present, that Council Bill No. 57 be substituted for House Bill No. 118, that Council Bill No. 57 do pass, that House Bill No. 56 do pass as amended, that House Bill No. 96 do pass, and substitute for House Bill No. 16 do not pass.

O. J. LOGAN,

Chairman.

Mr. Ross moved the adoption of the report of the Committee of the Whole.

Mr. Lydick moved that the report of the Committee of the Whole be amended, so as to read that Substitute for House Bill No. 16 do pass.

The vote on roll call resulted: ayes, Craig, Ferris, Fuller, Hogg, Levy, Jester, Logan, Lydick, Maxwell, Robinson, Wood, 11; nays, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, Noffsinger, Prouty, Ross, Taylor, Walker, Mr. Speaker, 12; absent Ballinger, Bryan, McBride, 3. The Speaker declared the motion lost.

The report of the Committee was adopted.

Upon motion the House adjourned until 10 o'clock A. M., February 8, 1905.

JESSE B. NORTON,
Speaker.

THIRTIETH DAY

Guthrie, Oklahoma Territory,

Wednesday, February 8, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Journal of the preceding day was read and approved.

Mr. Ross offered two petitions which were filed.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means recommend that House Bill No. 171 be printed and placed on the Calendar, House Bill No. 192 do pass, and House Bill No. 204 do not pass.

J. P. GANDY,

Chairman.

The report was adopted.

The Committee on Appropriations reported as follows:

Mr. Speaker:

The Committee on Appropriations recommend that Council Bill No. 15 be substituted for House Bill No. 135, and Council Bill No. 15 do pass as amended.

J. P. BECKER,

Chairman.

The report was adopted.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bill No. 175 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Military Affairs reported as follows:

Mr. Speaker:

Committee on Military Affairs recommend that House Bill No. 202 do pass as amended.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Sanitary Affairs reported as follows:

Mr. Speaker:

The Committee on Sanitary Affairs recommend that House Bill No. 177 be printed and placed on the Calendar, special order for Thursday, February 8, as recommended by the Committee of the Whole.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bills Nos. 138, 196, 208, 201, and 189 do pass, House Bill No. 81 do pass as amended, and House Bills Nos. 131 and 117 do not pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Fish and Game reported as follows:

Mr. Speaker:

The Committee on Fish and Game recommend that Council Bill No. 19 do pass.

FRANK PROUTY,
Chairman.

The report was adopted.

Mr. Ballinger called up the report of the Committee on Liquor Traffic, House Bill No. 168, and moved to reconsider the same. The motion carried.

Mr. Ballinger moved that House Bill No. 168 be printed and placed on the Calendar. The motion carried.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 96 and House Joint Resolution No. 8 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 217, by Mr. Ingmire.

House Bill No. 218, by Mr. Maxwell.

House Bill No. 219, by Mr. Levy.

House Bill No. 220, by Mr. Prouty.

House Bill No. 221, by Mr. Ballinger.

House Bill No. 222, by Mr. Ballinger.

House Bill No. 223, by Mr. Robinson.

House Bill No. 224, by Mr. Bryan..

Council Joint Memorial No. 6 was read the first time.

The following bills were read the second time and referred to Committees:

House Bill No. 214, Committee on County and Township Organization.

House Bill No. 215, Committee on Judiciary.

House Bill No. 216, Committee of the Whole.

Mr. Ross moved that the House insists on its proposals of amendments to Council Bill No. 1.

The vote on roll call resulted: ayes, Balinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Woods and Mr. Sepaker, 25; present and not voting, Walker, 1.

Mr. Robinson moved that the House ask for a conference committee from the Council. The motion carried.

The Speaker appointed as a Conference Committee on the part of the House, Mr. Ross, Mr. Lydick and Mr. Gandy.

Mr. Gandy moved that the House pass to third reading of bills.

Mr. Ballinger moved a substitute that the House go into a Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried. The Speaker called Mr. Hogg to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having under consideration House Bills Nos. 72, 216, 138 and 201, as amended, report the same do pass.

DAVID HOGG,
Chairman.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 90, 81, 8 and 50, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bills Nos. 90, 81, 8 and 50 were read the first time.

Mr. Robinson moved that House Bills Nos. 72, 216, 138 and 201 as amended, be placed on third reading and final passage. The motion carried.

Mr. Fuller moved that the Chief Clerk be instructed to purchase five dollars worth of stamps for each member. The motion was lost.

Mr. Walker moved that the Chief Clerk be instructed to purchase three dollars worth of stamps for each member. The motion carried.

On motion the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M., with the Speaker in the Chair.

Mr. Becker moved that the House resolve itself into the Committee of the Whole for the purpose of considering bills on the Calendar. The motion carried. The Speaker called Mr. Ross to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 99 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bill No. 99 was read the first time.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report and recommend that House Bills Nos. 23 and 128 do pass as amended, House Bill No. 49 do pass, and Original House Bill No. 27 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

Mr. Robinson moved that House Bill No. 23 be amended by striking out lines 17 and 18, as follows: "With which political party did you affiliate during the last general election?"

Upon roll call the vote resulted: ayes: Becker, Fuller, Gayman, Hogg, Ingmire, Jester, Maxwell, Robinson, Taylor, Walker, Mr. Speaker, 11; nays: Ballinger, Bone, Craig, Daniels, Ferris, Gandy, Levy, Lydick, McBride, Noffsinger, Prouty, Ross, Wood, 13; present and not voting, Bryan, 1; absent, Logan, 1.

The motion was lost.

Upon motion House Bills Nos. 23, 128, 49 and 27 were ordered engrossed.

By unanimous consent Mr. Noffsinger introduced House Bills Nos. 225 and 226, which were read the first time.

Mr. Gandy offered House Joint Resolution No. 9, as follows:

"BE IT RESOLVED, by the Eighth Legislative Assembly of Oklahoma; That the following memorials be transmitted to the Congress of the United States:

"The Eighth Legislative Assembly of Oklahoma is gratified that both Houses of the United States Congress have passed enabling acts providing for statehood for Oklahoma and the Indian Territory. This Assembly urges that either the measure passed by the Senate, or the measure passed by the House of Representatives, or some compromise measure based upon these, be enacted into a law before the expiration of the present Congress.

"The importance of this is urged, as justice to the people of the proposed state, who are entitled to and anxious for statehood, and willing to accept such a measure as has been passed, by either the House of Representatives or the Senate, or such a measure as will result from a compromise between them."

Mr. Prouty offered House Joint Resolution No. 10, as follows:

"BE IT RESOLVED, by the Eighth Legislative Assembly; That every member of both Houses be asked to forward to the United States Congress, telegrams asking the immediate concurrence in the passage of the Hamilton Statehood Bill with all of its amendments regardless of what they are.

"That the memorial be prepared in both Houses of this Assembly and wired to Delegate McGuire, also to Congressman Hamilton, and to President Roosevelt;

"That the memorial convey the glad news to Washington that Oklahoma Democrats and Republicans are rejoicing in the passage of the Hamilton Bill by the Senate;

"That the memorial also contain the request that Oklahoma and Indian Territory be given statehood in any form;

"That the Eighth Legislative Assembly send to the United States Congress its opinion on prohibition;

"That a special committee from each House be appointed to draw the memorial and the Speaker and the President appoint three members from each House to act as a committee;

"That the memorial be wired at once."

Upon motion the House adjourned until 10 o'clock A. M., February 9, 1905.

JESSE B. NORTON,
Speaker.

THIRTY-FIRST DAY

Guthrie, Oklahoma Territory,

Thursday, February 9, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

Roll call showed all members present.

The Journal of the previous day was read and approved.

Mr. Ross and Mr. Ballinger offered petitions, which were received and placed on file.

The Committee on Private Corporations reported as follows:

Mr. Speaker:

The Committee on Private Corporations recommend that the Substitute for House Bill No. 10 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Elections and Legislative Apportionments reported as follows:

Mr. Speaker:

The Committee on Elections and Legislative Apportionments recommend that House Bill No. 124 do pass and House Bill No. 145 do not pass.

A. McBRIDE,
Chairman.

The minority members of the Committee reported as follows:

Mr. Speaker:

We recommend that House Bill No. 124 do not pass.

W. A. MAXWELL,

J. D. LYDICK,

MILTON BRYAN.

It was moved that the report of the Committee be adopted.

Mr. Maxwell moved as a Substitute that the report of the Minority be adopted.

On roll call the vote resulted: ayes: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Robinson, 11; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 15.

The substitute motion was lost and the report of the Committee was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Joint Memorial No. 7 and House Bills Nos. 56, 216, 72, 201, 138, 27, 49 and 128, are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Council Joint Memorial No. 6 was read the second time.

Mr. Prouty moved to adopt Council Joint Memorial No. 6.

The vote on roll call resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 25; absent, Logan, 1.

House Joint Resolution No. 9 and House Joint Resolution No. 10 was read the second time.

By unanimous consent Mr. Ballinger introduced House Joint Memorial No. 11, as follows, which was read the first time:

"WHEREAS, The Senate of the United States has passed the bill giving statehood to Oklahoma and Indian Territory, therefore,

"BE IT RESOLVED, by the Eighth Legislative Assembly, as representatives of one and one-half millions of patriotic citizens, we hail with joy the action of the Senate in passing the statehood bill for Oklahoma, and we beg, pray and request the lower branch of the Congress of the United States to immediately assist the Senate in passing the said bill, to the end that the people of Oklahoma may at an early date enjoy all the privileges and blessings due us as one of the grandest states in the Union.

"BE IT FURTHER RESOLVED, That this resolution be telegraphed to Speaker Cannon, Senator Beveridge and Honorable B. S. McGuire."

Mr. Ballinger moved that the rules be suspended and House Joint Memorial No. 11 be read the second time and substituted for House Joint Resolutions Nos. 9 and 10.

The vote on suspension of rules on roll call resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Robinson, Taylor, 19; nays: Gandy, Prouty, Ross, Walker, Wood, Mr. Speaker, 6; absent, Logan, 1.

House Joint Memorial No. 11 was read the second time.

Mr. Fuller offered to amend House Joint Memorial No. 11 by striking out the word "concur" and insert in lieu thereof, the word "assist." The amendment was adopted.

On roll call to substitute House Joint Memorial No. 11 for House Joint Resolution Nos. 9 and 10, the vote resulted: ayes: Ballinger, Bryan, Craig, Ferris, Fuller, Hogg, Jester, Lydick, Maxwell, McBride, Noffsinger, Robinson, Taylor, 13; nays: Becker, Daniels, Gandy, Gayman, Ingmire, Levy, Prouty, Ross, Walker, Wood, Mr. Speaker, 11; present and not voting, Bone, 1; absent, Logan, 1.

On roll call on adoption of House Joint Memorial No. 11, as substitute, the vote resulted: ayes, Ballinger, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Pronty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 23; nays: Becker, Daniels, Levy, 3.

The following bills were introduced and read the first time:

House Bill No. 227, by Mr. Ferris.
House Bill No. 228, by Mr. Ferris.
House Bill No. 229, by Mr. Lydick.
House Bill No. 230, by Mr. Lydick.
House Bill No. 231, by Mr. Gayman.
House Bill No. 232, by Mr. Ballinger.
House Bill No. 233, by Mr. Ballinger.
House Bill No. 234, by Mr. Fuller.
House Bill No. 235, by Mr. Fuller.
House Bill No. 236, by Mr. Fuller.
House Bill No. 237, by Mr. Taylor.
House Bill No. 238, by Mr. Ross.
House Bill No. 239, by Mr. Bone.
House Bill No. 240, by Mr. Levy.
House Bill No. 241, by Mr. Robinson.

The following bills were read the second time and referred to Committees:

Council Bill No. 50, Committee on Education.

Council Bill No. 8, Committee on Elections and Legislative Apportionments.

Council Bill No. 90, Committee on Ways and Means.
Council Bill No. 81, Committee on Ways and Means.
Council Bill No. 99, Committee on Education.
House Bill No. 217, Committee on Agriculture.
House Bill No. 218, Committee on Municipal Corporations.
House Bill No. 219, Committee on Municipal Corporations.
House Bill No. 220, Committee on Judiciary.
House Bill No. 221, Committee on Judiciary.
House Bill No. 222, Committee on Judiciary.
House Bill No. 223, Committee of the Whole.

House Bill No. 224, Committee on Agriculture.

~~House Bill No. 225, Committee on Roads and Highways.~~

House Bill No. 226, Committee on Ways and Means.

Mr. Ballinger moved that the House resolves itself into Committee of the Whole for the purpose of considering bills on the Calendar. The motion prevailed. Mr. Speaker called Mr. Wood to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you, to the honorable body over which you preside, Council Bills Nos. 38, 9 and 80, and House Bills Nos. 30 and 53, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bills Nos. 38, 9 and 80 were read the first time.

The Committee of the Whole arose and reported.

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 37 be made special order for Monday, February 20, at 2 o'clock P. M.; House Bill No. 92 be made special order for Thursday, February 16, at 2 o'clock P. M.; House Bill No. 98 do pass and on House Bill No. 127 report progress and ask leave to sit again.

C. E. WOOD,
Chairman.

The report was adopted.

On motion the House adjourned.

AFTERNOON SESSION.

The House convened at 2 o'clock P. M., with the Speaker in the Chair.

The Speaker directed that House Bills Nos. 53 and 30 be enrolled.

By unanimous consent Mr. Ballinger introduced House Bill No. 242, which was read the first time.

Mr. Gandy moved that the House go into Committee of the Whole for the purpose of considering special order and other bills on

the Calendar. The motion carried. The Speaker called Mr. Taylor to the Chair.

The Committee of the Whole arose and reported:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 23 do pass; House Bill No. 2, as amended, be referred to a special committee appointed by the Speaker; House Substitute Bill No. 2 and House Bill No. 177 do not pass; House Bill No. 39 do pass as amended.

WESLEY TAYLOR,
Chairman.

The report was adopted.

By unanimous consent Mr. Prouty introduced House Bill No. 243, which was read the first time.

The Speaker named, as a special committee to consider House Bill No. 2, Mr. Bone, Mr. Ross and Mr. Lydick.

On motion by Mr. Becker, the House adjourned until 10 o'clock A. M., February 10, 1905.

JESSE B. NORTON,
Speaker.

THIRTY-SECOND DAY

Guthrie, Oklahoma Territory,

Friday, February 10, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

On roll call all members were present except Mr. Logan, excused by the Speaker.

The Journal of the preceding day was read, corrected and approved.

The Speaker directed that the report of the Committee of the Whole, in so far as it pertains to House Bill No. 127, be expunged from the record.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that Council Bill No. 99 do pass and be substituted for House Bill No. 190.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Railroads reported as follows:

Mr. Speaker:

The Committee on Railroads recommend that House Bills Nos. 206 and 167 do pass.

WESLEY TAYLOR,
Chairman.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bills Nos. 217 and 224 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Special Committee on House Bill No. 2 reported as follows:

Mr. Speaker:

The Special Committee to consider House Bill No. 2 recommend that House Bill No. 2 be engrossed.

MILTON BRYAN,
Chairman.

The Committee on County and Township Organizations reported as follows:

Mr. Speaker:

The Committee on County and Township Organization recommend that House Bill No. 214 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 23 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that Council Bill No. 18 do pass.

W. N. WALKER,
Chairman.

The report was adopted.

The following House Bills were introduced and read the first time:

House Bill No. 244, by Mr. Ferris.
House Bill No. 245, by Mr. Robinson.
House Bill No. 246, by Mr. Robinson.
House Bill No. 247, by Mr. Robinson.
House Bill No. 248, by Mr. Craig.
House Bill No. 249, by Mr. Ballinger.
House Bill No. 250, by Mr. Ballinger.
House Bill No. 251, by Mr. Speaker.

Mr. Bryan offered House Resolution No. 10 as follows which was read the first time.

"Resolved that a committee of five be appointed by the Speaker to visit Fort Supply and to report to this House as to conditions there existing."

The following bills were read the second time and referred to committees:

Council Bill No. 9, Committee on Private Corporations.
Council Bill No. 38, Committee on Education.
Council Bill No. 80, Committee on Municipal Corporations.
House Bill No. 227, Committee on Private Corporations.
House Bill No. 228, Committee on Insurance.
House Bill No. 229, Committee on Judiciary.
House Bill No. 230, Committee on Elections and Legislative Apportionment.
House Bill No. 231, Committee on Ways and Means.
House Bill No. 232, Committee on Ways and Means.
House Bill No. 233, Committee on Roads and Highways.
House Bill No. 234, Committee on Municipal Corporations.
House Bill No. 235, Committee on Private Corporations.
House Bill No. 236, Committee on Municipal Corporations.
House Bill No. 237, Committee on County and Township Organization.
House Bill No. 238, Committee on Education.
House Bill No. 239, Committee on Railroads.
House Bill No. 240, Committee on Education.

House Bill No. 241, Committee on Insurance.

House Bill No. 242, Committee on Ways and Means.

House Bill No. 243, Committee on Judiciary.

On motion of Mr. Noffsinger the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M. with the Speaker in the chair.

By unanimous consent Mr. Noffsinger introduced House Joint Resolution No. 12, as follows, which was read the first time:

Be it Resolved by the Legislative Assembly of the Territory of Oklahoma:

"Whereas: That it appears by public schedules of the various railroads, operating through the Territory of Oklahoma, that there is unjust discrimination in inter-state freight rate in Oklahoma and adjoining states, and that the Territory of Oklahoma has no power to regulate Inter-State Commerce, or remedy such discriminations, that it is the sense of this legislative body that the Inter-State Commerce Commission's attention should be called to said discriminations, and request that they use such means, as they have in their power, to remedy such evils.

"And further that the Appropriation Committee make such appropriation, for the purpose of presenting this question of discrimination to the Inter-state Commerce Commission, and as may be expedient and proper.

"That to this resolution is attached the schedule of rates used by the Chicago, Rock Island and Pacific Railway, wherein it is shown that Kansas and Nebraska, who before had better rates than the Territory of Oklahoma, by reduction, made February 9, 1905, there was a reduction of 7 per cent for the states of Kansas and Nebraska, and only a reduction of 1 1-2 to 4 1-2 for the Territory of Oklahoma.

"That a copy of this resolution should be sent to the Interstate Commerce Commission, and also to our Delegate, Bird S. McGuire, Washington, D. C."

The Speaker signed House Bills Nos. 53 and 30, and directed that the same be transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, Council Bills Nos. 71, 51, 110, 98, 40, 94, 96, and 63, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 30 and 53 are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On motion of Mr. Ross, the House resolved itself into Committee of the Whole. Mr. Gandy was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 53 and 30, which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 45 and 75, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bills Nos. 45 and 75 were read the first time.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bills Nos. 18, 41, and 188 be referred to a special committee to be appointed by the Speaker, and that House Bill No. 127 do pass as amended.

J. P. GANDY,
Chairman.

On motion of Mr. Prouty, the House passed to the third reading and final passage of bills.

The roll call on the final passage of Council Bill No. 57 resulted: ayes, Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 22; absent, Bryan, Ingmire, Logan, Wood, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 56 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 20; nays, Daniels, Gandy, Lydick, Wood, 4; absent, Ingmire, Logan, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Bryan explained his vote as follows:

“Mr. Speaker:

“While I think there is an unjust discrepancy in this bill, I am willing that the other animals may have protection if I and my fellow men are exempt, I therefore vote ‘Aye.’”

Mr. Daniels explained his vote as follows:

“Mr. Speaker:

“I am in favor of a bill of this kind, I would like to have a few more amendments and as the bill is, I cannot support it; therefore, I vote ‘No.’”

On motion of Mr. Noffsinger, to pass over House Bill No. 96 and allow it to retain its place on the Calendar, the roll call resulted: ayes, Ballinger, Bone, Bryan, Daniels, Ferris, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Robinson, Wood, 14; nays, Becker, Craig, Fuller, Gandy, Gayman, Prouty, Ross, Taylor, Walker, Mr. Speaker, 10; absent, Ingmire, Logan, 2.

The motion carried.

The roll call on final passage of House Bill No. 72, resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 23; present and not voting, Daniels, 1; absent, Ingmire, Logan, 2.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

The roll call on final passage of House Bill No. 138, resulted: ayes, Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, Prouty, Robinson, Ross, Walker, Wood, Gandy, Noffsinger, Mr. Speaker, 20; absent, Bryan, Daniels, Ingmire, Logan, McBride, Taylor, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 201 resulted: ayes, Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, Robinson, Ross, Wood, Mr. Speaker, 17; absent, Bryan, Daniels, Ingmire, Logan, McBride, Noffsinger, Prouty, Taylor, Walker, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 216 resulted: ayes, Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 21; absent, Bryan, Ingmire, Logan, McBride, Noffsinger, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Concurrent Resolution No. 2, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The resolution was read the first time.

Mr. Gandy moved that the rules be suspended and Council Concurrent Resolution No. 2 be read the second time.

On motion by Mr. Ross, the motion to suspend the rules was laid on the table.

The roll call on final passage of House Bill No. 23 resulted: ayes, Ballinger, Boné, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 22; nays, Becker, and McBride, 2; absent, Ingmire, Logan, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Maxwell explained his vote as follows:

“Mr. Speaker:

“I vote ‘Aye’ for the reason that the great majority of the people of my district favor the regulations of primary election by law, though I do not approve the questions provided for in Section 13, and I think the penalties for buying and selling votes are not severe enough.”

Mr. McBride explained his vote as follows:

“Mr. Speaker:

“I vote ‘No’ for the reason that Section 4, of this Act, provides one committeeman from each voting precinct, making such a vast number of committeemen that it is not practicable and can not be made operative.”

The Speaker directed that House Bills Nos. 53 and 30, which have been signed by Mr. President, be transmitted to the Governor for his approval.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 98 and 39 are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker directed the clerk to return Council Bill No. 1 to the Council.

The Speaker appointed a special committee on House Bills Nos. 18, 41 and 188: Mr. Levy, Mr. Walker, and Mr. Ross.

The roll call on final passage of House Bill No. 128 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 23; nays, Wood, 1; absent, Ingmire, Logan, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The roll call on final passage of House Bill No. 49, resulted: ayes, Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, Mr. Speaker, 22; absent, Bryan, Ingmire, Logan, Walker, 4.

On motion the House adjourned until 10 o'clock A. M., February 11, 1905.

JESSE B. NORTON,
Speaker.

THIRTY-THIRD DAY

Guthrie, Oklahoma Territory,
Saturday, February 11, 1905.

MORNING SESSION.

The House convened, pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain.

The Journal of the preceding day was read and approved.

Mr. Craig offered a petition which was placed on file.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Ways and Means Committee recommend that House Bills Nos. 207 and No. 242 do pass and House Bill No. 175 do not pass.

DYKE BALLINGER,
Chairman.

The report of the Committee was adopted.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Judiciary Committee recommend that Council Bill No. 28 and House Bills Nos. 221 and 229 do pass; Council Bill No. 22 and House Bills Nos. 172, 174, 222, 185, 181, and 209 do not pass.

W. W. NOFFSINGER,
Chairman.

Mr. Fuller moved the adoption of the report.

Mr. Levy moved to amend the motion by adopting all of the report except as relates to House Bill No. 185 and to have the same printed and placed on the Calendar. The motion carried.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 2 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 57 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Elections and Legislative Apportionments reported as follows:

Mr. Speaker:

The Committee on Elections and Legislative Apportionment recommend House Bill No. 230 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

Council Concurrent Resolution No. 2 was read the second time. On motion by Mr. Bryan the resolution was ordered to lie.

House Joint Resolution No. 12 was read the second time.

On motion by Mr. Maxwell to adopted the same the vote resulted: ayes, Ballinger, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; absent, Becker, Ingmire, 2.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Resolution No. 11, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that the same be engrossed.

House Resolution No. 10, was read the second time.

On motion to adopt the Resolution, the vote resulted: ayes, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 21; absent, Ballinger, Becker, Fuller, Ingmire, 4.

The following bills were introduced and read the first time:

House Bill No. 252, by Mr. Logan.

House Bill No. 253, by Mr. Logan.

House Bill No. 254, by Mr. McBride.

House Bill No. 255, by Mr. Walker.

House Bill No. 256, by Mr. Wood.

House Bill No. 257, by Mr. Lydick.

House Bill No. 258, by Mr. Lydick.

House Bill No. 259, by Mr. Lydick..

Mr. Walker moved that when the House do adjourn it adjourn until Monday, February 13, 1905, at 2 o'clock P. M.

On motion by Mr. Gayman, the House adjourned.

JESSE B. NORTON,
Speaker.

THIRTY-FOURTH DAY

Guthrie, Oklahoma Territory,

Sunday, February 12, 1905.

NO SESSION.

THIRTY-FIFTH DAY

Guthrie, Oklahoma Territory,

Monday, February 13, 1905.

AFTERNOON SESSION.

The House convened, pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain..

The roll call showed all members present except Ballinger, Fuller, Gayman, Ingmire and Lydick, excused by the Speaker.

The Journal of Saturday, February 11, was read, corrected and approved.

The following bills were read the second time and referred to Committees:

Council Bill No. 63, Committee on Banks and Banking.

Council Bill No. 110, Committee on Private Corporations.

Council Bill No. 40, Committee on Judiciary.

Council Bill No. 51, Committee on Judiciary.

Council Bill No. 71, Committee on Agriculture.

Council Bill No. 94, Committee on Private Corporations.

Council Bill No. 96, Committee on Municipal Corporations.

Council Bill No. 98, Committee on Municipal Corporations.

Council Bill No. 75, Committee on Municipal Corporations.

Council Bill No. 45, Committee on Ways and Means.

House Bill No. 244, Committee on Judiciary.

House Bill No. 245, Committee on County and Township Organization.

House Bill No. 246, Committee on Judiciary.

House Bill No. 247, Committee on Ways and Means.

House Bill No. 248, Committee on County and Township Organization.

House Bill No. 249, Committee on Liquor Traffic.

House Bill No. 250, Committee on Judiciary.

House Bill No. 251, Committee on Appropriations.

House Bill No. 252, Committee on Judiciary.

House Bill No. 253, Committee on Municipal Corporations.

House Bill No. 254, Committee on Ways and Means.

House Bill No. 255, Committee on Judiciary.

House Bill No. 256, Committee on Compensation of Public Officers.

House Bill No. 257, Committee on Criminal Jurisprudence.

House Bill No. 258, Committee on Private Corporations.

House Bill No. 259, Committee on Judiciary.

Upon motion by Mr. Gandy, the House resolved itself into Committee of the Whole. Mr. Logan was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend House Bill No. 132 do pass as amended.

O. J. LOGAN,
Chairman.

The report was adopted.

Mr. Gandy moved that House Bill No. 132 be considered engrossed, read the third time and placed upon its final passage. The motion carried.

On motion by Mr. Gandy, third reading of the bill was waived and on roll call the vote on final passage resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Hogg, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, Mr. Speaker, 20; absent, Ballinger, Fuller, Gayman, Ingmire, Lydick, Ross, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Committee on Appropriations reported as follows:

Mr. Speaker:

The Committee on Appropriations recommend that House Bill No. 200 do not pass.

J. P. BECKER,
Chairman.

On motion to adopt the report, Mr. Walker moved to amend by having the bill printed and placed on the Calendar. The amendment was adopted.

The Committee on Railroads reported as follows:

Mr. Speaker:

The Committee on Railroads recommend that House Bill No. 158 do not pass.

WESLEY TAYLOR,
Chairman.

The report was adopted.

The Committee on Insurance reported as follows:

Mr. Speaker:

The Committee on Insurance recommend that House Bills Nos. 211 and 241 do pass; House Bill No. 193 be referred to Special Committee to be considered with House Bill No. 228; House Bill No. 228 be referred to a Special Committee to be considered with House Bill No. 193.

WESLEY TAYLOR,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you, to the House, Council Bill No. 4, which has been vetoed by the Governor, together with his objections which are attached, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled Bills reported as follows:

The Committee on Enrolled Bills report that House Bill No. 127 is corrected engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Upon motion by Mr. Becker, the House adjourned until 10 o'clock
A. M. February 14, 1905.

JESSE B. NORTON,
Speaker.

THIRTY-SIXTH DAY.

Guthrie, Oklahoma Territory,

Tuesday, February 14, 1905.

MORNING SESSION.

The House convened, pursuant to adjournment, with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present, except Ballinger, excused.

The Journal of the preceding day was read and approved.

The special Committee on Oil Inspection Bills reported as follows:
Mr. Speaker:

The Special Committee to consider House Bills Nos. 18, 188, 41, and McBride's Substitute for House Bill No. 41, and Substitute for House Bill No. 188, recommend that House Bills Nos. 18, 188, 41 and McBride's Substitute for House Bill No. 41, do not pass and Substitute for House Bill No. 188 do pass, and that the same be printed and placed on the Calendar.

J. A. ROSS,
W. N. WALKER.

Mr. Levy, the minority of the Committee, reported as follows:

Mr. Speaker:

The minority of your special committee recommend that in lieu of the majority report, the present law be amended by adopting McBride's Substitute for House Bill No. 41.

I. B. LEVY.

Mr. Ross moved that the report of the majority be adopted.

Mr. Levy moved, as a substitute, that the minority report be adopted.

On roll call the vote resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Prouty, Wood, 14; nays: Becker, Daniels, Gandy, Ingmire, Ross, Taylor, Walker, Mr. Speaker, 8; absent: Ballinger, Logan, Noffsinger, Robinson, 4

The minority report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 97, and Petition House Bill No. 15, and Substitute House Bill No. 37, as amended, which has passed the Council, and Council Bill No. 57 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Joint Resolution No. 11 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Council Bill No. 97 was read the first time.

The Speaker directed that House Bill No. 15 and Substitute House Bill No. 37 be enrolled.

The Speaker signed Council Bill No. 57 and ordered that the same be transmitted to the Council for the signature of Mr. President.

The following bills were introduced and read the first time.

House Bill No. 260, by Mr. Jester.

House Bill No. 261, by Mr. Ferris.

House Bill No. 262, by Mr. Ferris.

House Bill No. 263, by Mr. Ferris.

House Bill No. 264, by Mr. McBride.

House Bill No. 265, by Mr. Bryan.

House Bill No. 266, by Mr. Gayman.

House Bill No. 267, by Mr. Craig.

House Bill No. 268, by Mr. Levy.

House Bill No. 269, by Mr. Walker.

A communication from the Governor with his veto of Council Bill No. 4, together with the action of the Council thereon, was received and read.

Mr. McBride moved that Council Bill No. 4 be laid over for Tuesday, February 21st., at 2 o'clock P. M.

Mr. Ferris moved to amend the motion by suspending the rules and placing Council Bill No. 4 on its final passage.

On roll call on the suspension of the rules the vote resulted: ayes: Becker, Bryan, Craig, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 17; nays: Bone, Daniels, Fuller, Levy, Lydick, McBride, Noffsinger, Wood, 8; absent: Ballinger, 1.

Mr. Bryan explained his vote as follows:

"Mr. Speaker:

"I was in favor of putting this vote off for a couple of days, but not until next Tuesday. I desire to be recorded as voting 'aye.'"

The roll call on final passage of Council Bill No. 4 resulted: ayes: Becker, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 20; nays: Daniels, McBride, Noffsinger, Wood; Bone, 5; absent: Ballinger, 1.

The Speaker declared the bill passed over the veto of the Governor.

Mr. Gandy explained his vote as follows:

"Mr. Speaker:

"I vote 'aye' on this question, for the reason that I believe it is the only chance to secure for the people of Oklahoma, any quarantine legislation during this session. I believe it will be operative as a law for the Territory of Oklahoma, outside of the Osage Nation, whether

it will be operative as to the Osage Nation or not. I believe if we turned this down, we would get no quarantine legislation."

Mr. Lydick explained his vote as follows:

"Mr. Speaker:

"When this bill was up for consideration in the Committee of the Whole, I endeavored to secure an amendment that would leave Township 6, 1 E and 6, 1 W, in my county below the line. The majority was not disposed to consider the wishes of my people, and although a purely local matter, they turned it down. For that reason the bill is not what I want. Yet, I realize that to defeat this bill would work untold injury to the people of Pottawatomie and Comanche counties, of the Osage Nation, and thousands more people of the Territory; that to longer follow the dictation of Secretary Hitchcock would bring ruin to our Territory. For these reasons I sacrifice my own personal interests and my own feelings in this matter, and vote, as I hope the majority may do, for the best interests of the whole people, 'aye.'"

Mr. Logan explained his vote as follows:

"Mr. Speaker:

"I wish to explain my vote. Representative people who are more interested in needed quarantine legislation at this time than almost anything else, I shall favor passing this bill over the Governor's veto. Not that I want to vote contrary to the Governor's wish, but my people want and must have quarantine protection, and believing if this bill is defeated the result can only be that we will have no quarantine legislation at this session, I, therefore, vote 'aye.'"

On motion of Mr. Noffsinger the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M. with the Speaker in the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bill No. 37, as amended by the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker signed House Joint Resolution No. 11, and directed that the same be transmitted to the Council for the signature of Mr. President.

On Motion by Mr. Gayman the Council's amendment to the House Bill No. 37 was read.

On motion by Mr. Maxwell, that the House concur in the Council's proposals of amendment, the vote resulted: ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 23; absent: Ballinger, Ingmire, Prouty, 3.

The Speaker declared the amendments concurred in.

On motion by Mr. Becker, the House resolved itself into a Committee of the Whole for the purpose of considering special order. Mr. Lydick was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 38 do not pass; House Bill No. 45 do pass; House Bill No. 50 be passed over but allowed to retain its place on the Calendar; House Bill No. 21 be substituted for House Bill No. 59 on the Calendar and the same do pass, as amended; on House Bill No. 62 the Committee report progress and ask leave to sit again; House Bill No. 69 do pass, as amended.

J. D. LYDICK,

Chairman.

Mr. Becker moved the adoption of the report of the Committee of the Whole, with the exception of House Bill No. 38. The motion carried.

Mr. Becker moved as an amendment to the report of the Committee of the Whole, that House Bill No. 38 do pass. The motion was lost.

The report of the Committee of the Whole was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Resolution No. 11, which has been duly signed by the President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that the same be transmitted to the Governor for approval.

On motion by Mr. Ross the bills recommended to pass by the Committee of the Whole were ordered engrossed.

On motion by Mr. Noffsinger the House adjourned until 10 o'clock A. M., February 15, 1905.

JESSE B. NORTON,
Speaker.

THIRTY-SEVENTH DAY

Guthrie, Oklahoma Territory,

February 15, 1905.

MORNING SESSION.

The House convened, pursuant to adjournment, with the Speaker in the Chair.

Prayer by the Chaiplain.

The roll call showed all members present.

The Journal of the previous day was read and approved.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Joint Resolution No. 12, which has passed the Council.

J. P. JAYNE,

Chief Clerk.

The Speaker directed that House Joint Resolution No. 12 be enrolled.

Petitions were offered by Mr. Maxwell, Mr. Ballinger and Mr. Ross, and were placed on file.

The Committee on Roads and Highways reported as follows:

Mr. Speaker:

The Committee on Roads and Highways recommend that the Committee Substitute Bill No. 155 do pass.

W. W. DANIELS,

Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 270, by Mr. Logan.

House Bill No. 271, by Mr. Ballinger.

House Bill No. 272, by Mr. Ballinger.

House Bill No. 273, by Mr. Daniels.

House Bill No. 274, by Mr. Speaker.

The following bills were read the second time and referred to Committees:

Council Bill No. 97, Committee on Education.

House Bill No. 260, Committee on Municipal Corporations.

House Bill No. 261, Committee on Ways and Means.

House Bill No. 262, Committee on Agriculture.

House Bill No. 263, Committee on Judiciary.

House Bill No. 264, Committee on Compensation of Public Officers.

House Bill No. 265, Committee on Agriculture.

House Bill No. 266, Committee on Ways and Means.

House Bill No. 267, Committee on Agriculture.

House Bill No. 268, Returned to Author.

House Bill No. 269, Committee on Appropriations.

House Bills Nos. 193 and 228 were referred back to the Committee on Insurance.

Upon motion by Mr. Ballinger, the House resolved itself into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Jester was called to the Chair.

Messenger from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bill No. 9, as amended by the Council, and House Bill No. 132, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 48,

be made special order for 7:30 o'clock this evening; House Bill No. 62 do pass; House Bill No. 106 pass over but retain its place on Calendar; House Bill No. 116 do pass, and House Bill No. 50 do pass as amended.

J. A. JESTER,
Chairman.

The report was adopted.

The Speaker announced the following committees:

In compliance with House Joint Resolution No. 6, pertaining to the Capitol National Bank fund, Mr. McBride, Mr. Noffsinger, Mr. Wood, Mr. Bryan and Mr. Robinson.

As a committee to visit and investigate Fort Supply, in compliance with House Resolution No. 10, Mr. Fuller, Mr. Ross, Mr. Daniels, Mr. Hogg and Mr. Gandy.

On motion the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M. with the Speaker in the Chair.

House Bill No. 96 was read the third time and placed on final passage. On demand, the roll was called, all members present, except Mr. Becker and Mr. Ingmire, excused on account of sickness.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 44, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Pending the question, shall the bill pass, the death of Mr. George Vickers was announced, and on motion by Mr. Noffsinger the House adjourned until 10 o'clock A. M., February 16, 1905, out of respect to Mr. Vickers.

JESSE B. NORTON,
Speaker.

THIRTY-EIGHTH DAY

Guthrie, Oklahoma Territory,

February 16, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Fuller, Mr. Gandy, Mr. Hogg, Mr. Ingmire, Mr. Ross and Mr. Daniels, excused by the Speaker.

The Journal of the preceding day was read and approved.

The third reading of House Bill No. 96 was taken up as unfinished business.

On motion by Mr. Robinson the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M. with the Speaker in the Chair.

It was moved by Mr. Prouty that House Bill No. 96 be placed upon final passage at 2 o'clock P. M., February 21, without further debate. The motion carried.

On motion by Mr. Bryan the House went into the Committee of the Whole for the purpose of considering special order. Mr. Jester was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Substitute House Bill No. 92 do pass as amended.

J. A. JESTER,
Chairman.

The report was adopted.

On motion by Mr. Ballinger, House Bill No. 48 was made special order for Tuesday, February 21, at 2 o'clock P. M.

On motion by Mr. Prouty, House Bill No. 161 was made special order for Wednesday, February 22, at 2 o'clock P. M.

On motion by Mr. Lydick, House Bill No. 229 was exchanged with No. 103 on the Calendar.

The Speaker signed House Bill No. 15 and Substitute House Bill No. 37, and directed that the same be transmitted to the Council for the signature of Mr. President.

Council Bills Nos. 95 and 44 were read the first time.

Mr. Lydick moved that the House concur in Council's amendments to House Bill No. 132.

On roll call the vote resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gayman, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, Mr. Speaker, 18; absent: Becker, Daniels, Fuller, Gandy, Hogg, Ingmire, McBride, Ross, 8.

The Speaker declared the Council's amendments concurred in and directed that the Bill be enrolled.

On motion by Mr. Bone, that the House concur in the Council's amendment to House Bill No. 9, the vote resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gayman, Jester, Levy, Logan, Maxwell, Noffsinger, Prouty, Taylor, Walker, Wood, Mr. Speaker, 16; nays: Lydick, 1; absent: Becker, Daniels, Fuller, Gandy, Hogg, Ingmire, McBride, Robinson, Ross, 9.

The Speaker declared the amendments of the Council concurred in.

The Conference Committee on Council Bill No. 1 reported as follows:

Mr. Speaker:

The Conference Committee recommend that the original bill, as passed by the Council, with typographical amendments as suggested in copy hereto attached, do pass.

A. J. ROSS,
JOHN P. HICKAM,
B. N. WOODSON,
J. D. LYDICK,
J. R. SCOTT,

On motion to adopt the report of the Committee, the vote resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gayman, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, Mr. Speaker, 18; absent: Becker, Daniels, Fuller, Gandy, Hogg, Ingmire, McBride, Ross, 8.

The Speaker declared the report of the Committee adopted.

The Committee on Liquor Traffic reported as follows:

Mr. Speaker:

The Committee on Liquor Traffic recommend that House Bill No. 212 do pass.

JOHN J. GAYMAN,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 275, by Mr. Bryan.

House Bill No. 276, by Mr. Bryan.

House Bill No. 277, by Mr. Bryan.

House Bill No. 278, by Mr. Prouty.

House Bill No. 279, by Mr. Levy.

Message from Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bill No. 15 and Substitute House Bill No. 37, duly signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed the same enrolled.

The following bills were read the second time and referred to committees:

House Bill No. 270, Committee on Municipal Corporations.

House Bill No. 271, Committee on Appropriations.

House Bill No. 272, Committee on County and Township Organization.

House Bill No. 273, Committee on County and Township Organization.

House Bill No. 274, Committee on Municipal Corporations.

The vote on final passage of House Bill No. 27 resulted: ayes: Bone, Bryan, Craig, Ferris, Gayman, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Fuller, Gandy, Hogg, Ingmire, McBride, Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of House Bill No. 98 resulted: ayes: Gayman, Logan, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, Mr. Speaker, 10; nays: Bone, Bryan, Craig, Jester, Levy, Lydick, 6; absent: Ballinger, Becker, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Noffsinger, Taylor, 10.

The Speaker declared the passage of the bill refused.

Mr. Noffsinger moved that when the House do adjourn, it adjourn until 10 o'clock Saturday morning. The motion carried.

On motion by Mr. Wood, the House adjourned.

JESSE B. NORTON,
Speaker.

THIRTY-NINTH DAY

Guthrie, Oklahoma Territory,

Friday, February 17, 1905.

NO SESSION.

FORTIETH DAY

Guthrie, Oklahoma Territory,

Saturday, February 18, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Ballinger, Mr. Daniels, Mr. Gandy, Mr. Hogg, Mr. Jester, Mr. Robinson, Mr. Ross, and Mr. Prouty, excused by the Speaker.

The Journal of the preceding day was read and approved.

Mr. Maxwell offered a petition, which was placed on file.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 15, 37, 83, 69, 45, 21, 50 and 116, House Joint Resolution No. 12, correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that Council Bill No. 75, Council Bill No. 98, House Bill No. 219, Council Bill No. 80, House Bills Nos. 270, 218 and 253 and Council Bill No. 96 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers recommend that House Bill No. 264 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 280, by Mr. Ingmire.

House Bill No. 281, by Mr. Wood.

House Bill No. 282, by Mr. Taylor.

The following bills were read the second time and referred to committees:

Council Bill No. 44, Committee on Quarantine.

Council Bill No. 95, Committee of the Whole.

House Bill No. 275, Committee on Municipal Corporations.

House Bill No. 276, Committee on Municipal Corporations.

House Bill No. 277, Committee on Liquor Traffic.

House Bill No. 278, Committee on Judiciary.

House Bill No. 279, Committee on Ways and Means.

On motion by Mr. Bone, to reconsider the vote whereby House Bill No. 98 was refused final passage, the vote resulted: ayes: Bone, Bryan, Craig, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, Mc-

Bride, Noffsinger, Taylor, Walker, Wood, Mr. Speaker, 15; absent: Ballinger, Becker, Daniels, Ferris, Fuller, Gandy, Hogg, Jester, Prouty, Robinson, Ross, 11.

On motion of Mr. Bone, to reconsider the vote whereby House Bill No. 98 was placed on third reading and final passage, the vote resulted: ayes: Bone, Bryan, Craig, Fuller, Gayman, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 15; present and not voting: Ingmire, 1; absent: Ballinger, Becker, Daniels, Ferris, Gandy, Hogg, Jester, Prouty, Robinson, Ross, 10.

Mr. Bone moved to amend House Bill No. 98. On motion the amendment was adopted.

On motion of Mr. Bone, to place House Bill No. 98 on third reading and final passage, the vote resulted: ayes: Bone, Bryan, Craig, Fuller, Gayman, Ingmire, Levy, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 15; absent: Ballinger, Becker, Daniels, Ferris, Gandy, Hogg, Jester, Logan, Prouty, Robinson and Ross, 11.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to and directed it be engrossed as amended.

On motion of Mr. Lydick, House Bill No. 39 was placed on third reading and final passage. The vote on roll call resulted ayes: Bone, Craig, Ferris, Fuller, Gandy, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood, Mr. Speaker, 16; nays: Bryan, 1; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Fuller moved to place House Bill No. 21 on third reading final passage. The motion carried.

On motion of Mr. Lydick to suspend the rules and consider the bill read the third time the vote resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, Mc-

Bride, Noffsinger, Ross, Taylor, Walker, Wood, Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson, Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on roll call on final passage of House Bill No. 98 resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson, Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 52, 101, House Bill No. 160 as amended, and Council Bill No. 1 for the signature of Mr. Speaker.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bill No. 1 and directed that the same be transmitted to the Council for the signature of Mr. President.

Council Bills Nos. 52 and 101 were read the first time.

On motion of Mr. Bone, House Bill No. 2 was placed on third reading and final passage. On roll call the vote resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson, Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion of Mr. Lydick, Council Bill No. 23 was placed on third reading and final passage. The vote resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell,

McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Noffsinger, House Bill No. 116 was placed on third reading and final passage. The vote on roll call resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood, Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Taylor, House Bill No. 83 was placed on third reading and final passage. The vote on roll call resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion of Mr. Lydick, House Bill No. 45 was placed on third reading and final passage. The vote on roll call resulted: ayes: Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 16; absent: Ballinger, Becker, Bone, Daniels, Jester, Gandy, Hogg, Prouty, Robinson and Ross, 10.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Bryan, House Bill No. 127 was placed on third reading and final passage. The vote on roll call resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Noffsinger, Taylor, Walker, Wood and Mr. Speaker, 15; nays: Max-

well and McBride, 2; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. McBride, House Bill No. 69 was placed on third reading and final passage. The vote on roll call resulted: ayes: Bone, Bryan, Craig, Ferris, Fuller, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Taylor, Walker, Wood, Mr. Speaker, 17; absent: Ballinger, Becker, Daniels, Gandy, Hogg, Jester, Prouty, Robinson and Ross, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Logan moved that when the House adjourn, it adjourn until 10 o'clock A. M., Monday, February 20, 1905. The motion carried.

On motion of Mr. Logan, the House adjourned.

JESSE B. NORTON,
Speaker.

FORTY-FIRST DAY

Guthrie, Oklahoma Territory,

Sunday, February 19, 1905.

NO SESSION.

FORTY-SECOND DAY

Guthrie, Oklahoma Territory,
Monday, February 20, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Bone, Mr. Hogg, Mr. Prouty, and Mr. Robinson, excused by the Speaker.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bill No. 1 which has been amended by the Council, and the concurrence of the House is requested.

J. P. JAYNE,
Chief Clerk.

Mr. Gayman offered a petition which was placed on file.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bills Nos. 274, 275, 236, 260, 276 and Committee's substitute for House Bill No. 219 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 283, by Mr. Ross.

House Bill No. 284, by Mr. McBride.

House Bill No. 285, by Mr. Gayman.

House Bill No. 286, by Mr. Jester.

House Bill No. 287, by Mr. Ballinger.

House Bill No. 289, by Mr. Noffsinger.

House Bill No. 290, by Mr. Walker.

On motion by Mr. Ballinger, action on the Council's proposals of amendments to House Bill No. 1 was deferred until Wednesday, February 23, 1905, at 2 o'clock P. M.

The following bills were read the second time and referred to Committees:

Council Bill No. 101, Committee on Judiciary.

Council Bill No. 52, Committee on Judiciary.

House Bill No. 280, Committee on Judiciary.

House Bill No. 281, Committee on Municipal Corporations.

House Bill No. 283, Committee on Judiciary.

By request of Mr. Ross the Speaker appointed Don Vickers, as Clerk of the Committee on Education, in the place of George Vickers, deceased.

It was moved by Mr. Ballinger that the chair appoint a committee of three to wait upon the Governor and ask if he desires to communicate with the House regarding substitute for Council Bill No. 37.

The Speaker appointed as such Committee: Mr. Fuller, Mr. Ross, and Mr. Ingmire.

Message from the Council:

Mr. Speaker:

I herewith transmit through you to the House, Joint Resolution No. 12, which has been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Joint Resolution No. 12 be transmitted to the Governor for his approval.

On motion of Mr. Lydick, the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M., with the Speaker in the chair.

The Speaker signed House Bill No. 9, and directed that the same be transmitted to the Council for the signature of Mr. President.

A communication from Mrs. G. W. Vickers and family, thanking the members for their assistance during their recent bereavement, was read.

A communication from the Governor as follows, relating to Council Bill No. 37 was read:

To the House of Representatives, Eighth Legislative Assembly, Territory of Oklahoma.

Gentlemen: On the 17th day of the present month, with a committee from your honorable body, I visited the Fort Supply Military reservation at Woodward County which has been set apart by the Federal Government to be used by the Territory of Oklahoma for the purpose of an insane asylum.

At the request of a committee of gentlemen from this branch of the assembly who visited my office today, I have the honor to submit this statement in connection with the report of the legislative committee appointed to visit the site proposed for an asylum, and upon which legislation is now pending.

The proposition before the Territory is to be estimated from a business point of view, and every phase of it considered. There are certain objections that could be urged against the removal of the asylum to Fort Supply, prominent among them is the lack of railroad facilities. The nearest railroad point is eleven miles. There is one stream to cross, which in certain seasons of the year impose a barrier to travel between the proposed site of the asylum and the railroad. The stream would require a bridge. (It could be bridged at no great cost). Again, the cost of transportation to the asylum would be increased considerably, especially as a portion of the journey would be made overland, in vehicles provided by the Territory. These are the

only well founded objections that can be consistently urged against the measure now pending.

Now as to the other side of the proposition. Fort Supply is an ideal place for the location of a state institution—one of the most beautiful in the Territory. The water supply is abundant and the quality is of the very best. In my judgment there is not only sufficient water available for all sanitary purposes at the asylum, but also enough to irrigate several hundred acres of land belonging to the reservation—land of splendid quality and can be utilized for farming purposes. The buildings are fairly well preserved—in much better condition as had been generally reported. While it will require quite a sum of money to repair them, the outlay for that purpose will not be extravagant. There are in my judgment, with a reasonable outlay of repair, enough buildings to accomodate at least fifteen hundred patients. While the cost will be considerable to place its building and the water works system in proper repair yet it appears to me that the reduced expenses in the way of maintainance would soon be more than an offset to that feature. If proper irrigation can be accomplished, it would seem that in the course of a few years the institution could almost be made self-sustaining.

It is not my purpose to make any recommendation in the matter, as the gentlemen from the House who conferred with me today desired me to submit my impressions to the availability of the proposed site. The behest comes to us from the government of the United States. The property is worth several hundred thousand dollars. A great institution can be built. By remodeling the buildings and making the necessary repairs, Fort Supply can be made one of the very best up-to-date institutions to be found any where in the country. At least such is my best judgment.

Very respectfully,

T. B. FERGUSON,

Governor.

Guthrie, Oklahoma,

February 20, 1905.

On motion of Mr. Gandy, the House went into the Committee of the Whole for the purpose of considering special order, Council Bill No. 37, and Mr. Ingmire was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration Council Bill No. 37, recommend that the same be passed as amended.

JOHN INGMIRE,
Chairman.

The report was adopted.

On motion by Mr. Gandy, to suspend the rules and consider Council Bill No. 37 read the third time and placed on its final passage, the vote on roll call resulted: ayes, Backer, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, McBride, Ross, Taylor, Walker, Wood, Mr. Speaker, 17; nays, Ballinger, Craig, Levy, Lydick, Noffsinger, 5; absent, Bone, Bryan, Prouty and Robinson, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bills Nos. 243 and 213 do not pass; House Bills Nos. 215 and 179 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

Mr. Fuller moved that the House do not concur in the Council's amendments to House Bill No. 60. The motion carried.

Mr. Logan moved that when the House adjourn, it adjourn until 7:30 P. M. The motion carried.

On motion of Mr. Ballinger the House adjourned.

EVENING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Ross, the House resolved itself into the Committee of the Whole for the purpose of considering bills on the Calendar.

Mr. Taylor was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration House Bill No. 106, recommend that the same do pass, as amended:-

WESLEY TAYLOR,
Chairman.

The report was adopted.

On motion by Mr. Ferris, to suspend the rules and consider House Bill No. 106 read the third time and placed on its final passage, the vote resulted: ayes, Becker, Ferris, Gandy, Gayman, Hogg, Ingmire, Logan, Maxwell, Ross, Taylor, Walker, Wood and Mr. Speaker, 13; nays, Bryan, Craig, Daniels, Fuller, Jester, Levy, Lydick, McBride, Noffsinger and Robinson, 10; absent, Ballinger, Bone, Prouty, 3.

The motion was lost.

On motion by Mr. Levy, the House proceeded to third reading of bills.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 98 and 62 correctly engrossed.

B. B. BONE,
Chairman.

By J. P. Gandy,

The report was adopted.

The roll call on third reading and final passage of House Bill No. 50 resulted: ayes, Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Max-

well, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Bone and Prouty, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Maxwell to suspend the rules, consider House Bill No. 62 read the third time and placed on its final passage the vote resulted: ayes, Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Bone and Prouty, 2.

The roll call on final passage of House Bill No. 62 resulted, ayes, Ballinger, Becker, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Walker, Wood, 21; nays, Bryan, Taylor and Mr. Speaker, 3; absent, Bone and Prouty, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Becker explained his vote as follows:

"Mr. Speaker:

"In explanation, I desire to say, that at this time I do not think it expedient, or to the best interests of the Territory, that more offices and expenses be added to the Territory, but there is a cry for better freight rates, and in view of that fact and the further facts of local interests, I vote 'aye.'"

Mr. Bryan explained his vote as follows:

"Mr. Speaker:

"I vote against this bill first, because this Legislature can not confer upon a railroad commission the powers necessary to enable them to put into force such orders as they may make. In the second place, the law can not become operative in all human probability before this Territory will become a state. In the third place, the expense which will be enormous will be a complete loss to the people of this Terri-

tory. In the next place, the percent of business that this commission can control will be insignificant as compared with the part of the traffic of this Territory."

Mr. Ferris explained his vote as follows:

"I believe this will save the tax payers of not only each county, but each township, more than it costs the Territory to maintain it."

Mr. Ferris moved to reconsider the vote, whereby House Bill No. 62 was placed on its third reading and final passage.

Mr. Gandy moved that the motion to reconsider be ordered to lie. The motion carried.

Mr. Levy moved that House Bill No. 92 be recommitted to the Committee of the Whole. The motion was lost.

On motion by Mr. Lydick, to suspend the rules, consider House Bill No. 92 read the second time and place it on its third reading, the vote on roll call resulted: ayes, Ballinger, Becker, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 19; nays, Bryan, Craig, Ferris, Jester, Levy, 5; absent, Bone, Prouty, 2.

On the final passage of House Bill No. 92, the vote on roll call resulted: ayes, Ballinger, Becker, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood Mr. Speaker, 19; nays, Bryan, Craig, Ferris, Jester, Levy, 5; absent Bone, Prouty, 2.

The Speaker declared the bill passed and the enacting and entitling clauses agreed to.

Mr. Becker explained his vote as follows:

"Mr. Speaker:

"The county depository question is something that is being agitated in all the counties in Oklahoma. I would like to favor a bill that I thought would meet the requirements. I have received letter after letter, and the context and the pith of the whole matter of correspondence is against it, and I will vote for the interest of my constituents, and vote 'No.'"

Mr. Bryan explained his vote as follows:

"Mr. Speaker:

"I vote against this bill, first, for the reason that it takes from the bonded custodian of the county funds the authority of control; second it confers upon persons, not bonded and not charged with responsibility and the consequent penalty of safety of the county funds, the authority to place them where private interests, rather than public interest, might dictate; because I fear that it would endanger the safe keeping of the county funds."

Mr. Craig explained his vote as follows:

"Mr. Speaker:

"I vote 'aye' because I believe this will save thousands of dollars to the tax payers of Oklahoma in interest on the county deposits."

Mr. Ferris explained his vote as follows:

"Mr. Speaker:

"I vote 'No' because I do not believe the scattered liability safe; it endangers the county funds."

Mr. Jester explained his vote as follows:

"Mr. Speaker:

"I favor safe depository for the county funds, but I consider this a dangerous measure as it now is, therefore I vote 'No.'"

Mr. Gandy explained his vote as follows:

"Mr. Speaker:

"I vote 'Aye' because I have fought on this floor for two entire terms, trying to enact a law on this line; I believe it is the only chance to get a law of this kind."

Mr. Hogg explained his vote as follows:

"Mr. Speaker:

"I vote 'Aye' for the reason, that there are demands all over this Territory for such a bill. It does, if I understand the bill correctly, relieve the treasurer of responsibility. After he deposits his money with the bank and the bank gives a bond, he is relieved."

On motion by Mr. Becker, House Bill No. 106 was ordered engrossed and placed on its third reading.

On motion by Mr. Lydick, the House adjourned until 10 o'clock A. M., February 21, 1905.

JESSE B. NORTON,
Speaker.

FORTY-THIRD DAY

Guthrie, Oklahoma Territory,

Tuesday, February 21, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Bone and Mr. Prouty, excused by the Speaker.

The Journal of the preceding day was read and approved.

Mr. Ballinger offered a petition which was placed on file.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means recommend that House Bills Nos. 247, 182, 170, 226, 254, 184, do pass, and Council Bill No. 45 do pass as amended by the Committee, Council Bill No. 81 do pass, and Council Bill No. 90 do pass as amended by the Committee, House Bills Nos. 231, 266, 178, 279 and 261 do not pass, House Bills Nos. 199 and 232 be printed and placed on the Calendar.

DYKE BALLINGER,

Chairman

Mr. Levy moved that House Bill No. 279 be referred back to the Committee on Ways and Means. The motion carried.

On motion by Mr. Levy, House Bill No. 266 was ordered printed and placed on the Calendar.

On motion by Mr. Ferris, House Bill No. 261 was ordered printed and placed on the Calendar.

The report of the Committee, with the exception of House Bills Nos. 261, 279 and 266, was adopted.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that Council Bills Nos. 101, 40, 51 and 52 do pass, House Bill No. 282 as amended by the Committee, House Bills Nos. 252, 244, 259, 280, 263 and 246 do pass, House Bills Nos. 250, 255, 278 do not pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Appropriations reported as follows:

Mr. Speaker:

The Committee on Appropriations recommend that House Bills Nos. 269, 271 and 251 be printed and placed on the Calendar.

J. B. BECKER,
Chairman.

The report was adopted.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bills Nos. 210 and 238 do pass, House Bill No. 240 do not pass, Council Bills Nos. 50, 38 and 97 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Private Corporations reported as follows:

Mr. Speaker:

The Committee on Private Corporations recommend that House Bill No. 235 be printed and placed on the Calendar, Council Bill No. 110 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bills Nos. 265, 267 and 262 do pass and Council Bill No. 71 do pass as amended by the Committee.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Liquor Traffic reported as follows:

Mr. Speaker:

The Committee on Liquor Traffic recommend that House Bill No. 249 do pass.

JOHN J. GAYMAN,
Chairman.

The report was adopted.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers recommend House Bill No. 256 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

The Committee on Elections and Legislative Apportionment reported as follows:

Mr. Speaker:

The Committee on Elections and Legislative Apportionment recommend that Council Bill No. 8 do pass as amended by the Committee.

A. McBRIDE,
Chairman.

The report was adopted.

The Committee on Criminal Jurisprudence reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence recommend that House

Bill No. 257 and House Bill No. 142 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that Council Bill No. 63 do pass, and Council Bill No. 44 do not pass; the Committee recommend that Scott Ferris prepare a substitute for Council Bill No. 144.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine recommend that House Bill No. 191 do pass.

W. N. WALKER,
Chairman.

The report was adopted.

The following bills were introduced and read the first time:

House Bill No. 291, by Mr. Bryan.
House Bill No. 292, by Mr. Fuller.
House Bill No. 293, by Mr. Fuller.
House Bill No. 294, by Mr. Ross.
House Bill No. 295, by Mr. Ballinger.
House Bill No. 296, by Mr. Ballinger.
House Bill No. 297, by Mr. Ballinger.
House Bill No. 298, by Mr. Becker.
House Bill No. 299, by Mr. Levy.

The following bills were read the second time and referred to committees:

House Bill No. 283, Committee on County and Township Organization.

House Bill No. 284, Committee on Liquor Traffic.
House Bill No. 285, Committee on Public Lands.
House Bill No. 286, Committee on Ways and Means.
House Bill No. 287, Committee on Judiciary.
House Bill No. 288, Committee on Education.
House Bill No. 289, Committee on Judiciary.
House Bill No. 290, Committee on Private Corporations.

On motion of Mr. Becker, the House resolved itself into Committee of the Whole for the purpose of considering bills on the Calendar; Mr. Walker was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bill No. 103 and House Bill No. 128, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows.

Mr. Speaker:

The Committee of the Whole recommend that on House Bill No. 20 we report progress and ask leave to sit again; that Council Bills Nos. 27, 64, 13, Substitute Council Bill No. 15 for House Bill No. 135, Council Bills Nos. 19, 99, 18, 28, 95, 75, 80, 96, 98, 9 and 94, all the Council Bills under General Orders of Business on the Calendar, February 21, do pass.

W. N. WALKER,
Chairman.

The report was adopted.

On motion by Mr. Gayman the House adjourned.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment, with the Speaker in the Chair.

The House proceeded to Special Order House Bill No. 96 on final passage. The vote on roll call resulted: ayes: Bryan, Ferris, Hogg,

Ingmire, Jester. Levy, Logan, Lydick, McBride, Noffsinger, Robinson, 11; nays: Ballinger, Becker, Craig, Daniels, Fuller, Gandy, Gayman, Maxwell, Ross, Taylor, Walker, Wood and Mr. Speaker. 13; absent: Bone and Prouty, 2.

Mr. Maxwell explained his vote as follows:

"Mr. Speaker:

"As a citizen and a Democrat I have long advocated the passage of this kind of a law, as I believe it is in harmony with the principles of justice and equal rights. I voted for the fellow servant bill in this House two years ago, and have worked arduously for the passage of this bill. If my vote would make the bill become a law or even insure its passage through the House, I swear before God I would vote for it. But as the bill is already lost and I hold in my hand a signed petition unanimously endorsed by the business men of El Reno demand that I vote against the bill, I will vote 'No,' reserving the right to move a reconsideration if enough votes can be mustered to pass it."

Mr. Craig explained his vote as follows:

"Mr. Speaker:

"In as much as the Railroad Committee of the present Council of this Legislature has already acted unanimously on a good railroad commission bill, that it do not pass, relieves my mind of any legislation at this session in favor of the railroad commission bill. To enact a fellow servant bill into law, without a good railroad commission bill at this time, would mean in legislations sitting under said act that Jones, who is the farmer in this Territory, would have to pay the freight, I vote 'No.'"

The Speaker declared the passage of House Bill No. 96 refused.

Mr. Logan moved that the House adjourn sine die.

Mr. Ross moved to amend the motion that when the House do adjourn, it adjourn until 7:30 this evening. The amendment was adopted.

On motion by Mr. Bryan, the House proceeded to second Special Order, House Bill No. 48.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bill No. 9, which has been signed by the President.

J. P. JAYNE,
Chief Clerk.

Mr. Walker offered a petition pertaining to House Bill No. 133, which was placed on file.

On motion by Mr. Ballinger, the House resolved itself into the Committee of the Whole for the purpose of considering House Bill No. 48 and other bills on the Calendar. Mr. Bryan was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Substitute Council Bill No. 37 with the request that the amendments be made more specific and definite.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 48 do pass with amendments attached, House Bill No. 20 do not pass, Committee Substitute for House Bill 133 do pass as amended. House Bill No. 110 do pass, House Bill 103 do pass as amended, House Bill No. 43 be made special order for Monday, February 28, at 2 o'clock P. M., House Bill No. 229 be made special order for Friday, February 25, at 2 o'clock P. M., House Bill No. 167 special for Thursday, February 24, at 2 o'clock P. M. and House Bill No. 166 do pass.

MILTON BRYAN,
Chairman.

The report was adopted.

By unanimous consent Mr. Daniels introduced House Bill No. 300, which was read the first time.

On motion by Mr. Daniels, to suspend the rules and read House Bill No. 300 the second time and refer it to the proper committee, the vote on roll call resulted: ayes: Ballinger Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Robinson, Taylor, Walker and Mr. Speaker, 17; absent: Becker, Bone, Gayman, Hogg, McBride, Noffsinger, Prouty, Robinson and Wood, 9.

House Bill No. 300 was read the second time and referred to the Committee on Ways and Means.

On motion by Mr. Bryan, to suspend the rules and read all House Bills that have been read the first time, the second time and refer them to their proper committees, the vote on roll call resulted: ayes, Ballinger, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Ingmire, Jester, Levy, Lydick, Maxwell, Noffsinger, Robinson, Taylor, Walker and Mr. Speaker, 17; absent: Becker, Bone, Gayman, Hogg, Logan, McBride, Prouty, Ross, Wood, 9.

The following bills were read the second time and referred to Committees:

House Bill No. 291, Committee on Irrigation and Drainage.

House Bill No. 292, Committee on Municipal Corporation.

House Bill No. 293, Committee on Municipal Corporation.

House Bill No. 294, Committee on Judiciary.

House Bill No. 295, Committee on Insurance.

House Bill No. 296, Committee on Judiciary.

• House Bill No. 297, Committee on County and Township Organization.

House Bill No. 298, Committee on Education.

House Bill No. 299, Committee on Municipal Corporation.

The Speaker directed that House Bill No. 9 be transmitted to the Governor for his approval.

On motion by Mr. Logan the House adjourned.

EVENING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bill No. 106 is correctly engrossed.

B. B. BONE,

Chairman.

By J. P. Gandy.

The report was adopted.

Mr. Becker moved that the House take up bills on third reading.

On motion by Mr. Ferris, the rules were suspended and House Bill No. 106 considered read the third time and placed on its final passage, the vote resulted: ayes: Becker, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Lydick, Maxwell, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Ballinger, Bryan, Jester, McBride, Prouty, Robinson, 6; absent: Bone, Logan and Noffsinger, 3.

Mr. Ballinger explained his vote as follows:

"Mr. Speaker:

"This bill is far reaching in its effect. I vote 'No.' Perhaps I would not vote 'No' if I had a little time to investigate this bill."

The vote on roll call on final passage of House Bill No. 106 resulted: ayes: Becker, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Logan, Maxwell, Ross, Taylor, Walker, Wood and Mr. Speaker, 15; nays: Ballinger, Bryan, Hogg, Jester, Levy Lydick, McBride, Noffsinger, Prouty and Robinson, 10; absent: Bone, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of Council Bill No. 27 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick,

Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Bone, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on Council Bill No. 64 resulted: ayes: Robinson and Walker, 2; nays: Ballinger, Becker, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Wood and Mr. Speaker, 22; present and not voting: Craig, 1; absent: Bone, 1.

The Speaker declared the passage of the bill refused.

The vote on Council Bill No. 99 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Bone, Gayman, Jester, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Robinson, Council Bill No. 98 was ordered recommitted to the Committee of the Whole, for the purpose of amending.

The vote on final passage of Council Bill No. 80, resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Bone, Fuller and Gayman, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, the House adjourned until 10 o'clock A. M., February 22, 1905.

JESSE B. NORTON,
Speaker.

FORTY-FOURTH DAY

Guthrie, Oklahoma Territory,

Wednesday, February 22, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

Mr. Lydick moved that the Calendar of today, February 22, be made the Calendar of tomorrow, February 23. The motion carried.

On motion by Mr. Prouty, the House went into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Prouty was called to the Chair.

On motion by Mr. Lydick the House adjourned.

AFTERNOON SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

On motion by Mr. Gandy the House went to the Committee of the Whole for the purpose of considering bills on the calendar. Mr. Becker was called to the Chair.

On motion the House adjourned until 10 o'clock A. M., February 23, 1905.

FORTY-FIFTH DAY

Guthrie, Oklahoma Territory,

Thursday, February 23, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bills Nos. 10, 26, 115 and 154 and House Bills Nos. 197 and 109, which have passed the Council; also Council Concurrent Resolution No. 9, Council Joint Resolution No. 7 and Council Bill No. 23 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

The Journals of February 21 and 22 were read and approved.

The Committee on Ways and Means reported as follows:

Mr. Speaker:

The Committee on Ways and Means recommend that House Bill No. 300 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

The Committee on Appropriations reported as follows:

Mr. Speaker:

The Committee on Appropriations report that the approximate appropriations that this Legislature will make within the next two years will be between \$900,000 and \$1,000,000.

J. P. BECKER,
Chairman.

The Committee on County and Township Organization reported as follows:

Mr. Speaker:

The Committee on County and Township Organization recommend that House Bills Nos. 272, 283, 237, 248 and 273 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Liquor Traffic reported as follows:

Mr. Speaker:

The Committee on Liquor Traffic recommend that House Bills Nos. 277 and 284 do not pass.

JOHN J. GAYMAN,
Chairman.

Mr. McBride moved that the report of the Committee, in so far as House Bill No. 277, be adopted, and that House Bill No. 284 be printed and placed on the Calendar. The motion was lost.

The report was adopted.

The Committee on Public Lands reported as follows:

Mr. Speaker:

The Committee on Public Lands recommend that House Bill No. 285 do pass.

JOHN J. GAYMAN,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body

over which you preside, House Bills Nos. 17 and 47 which have been lost in the Council.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. Noffsinger, House Bill No. 283 was ordered printed and placed on the Calendar.

The Committee on Irrigation and Drainage reported as follows:

Mr. Speaker:

The Committee on Irrigation and Drainage recommend that House Bill No. 291 do pass.

J. P. GANDY,
Chairman.

The report was adopted.

The Committee on Insurance reported as follows:

Mr. Speaker:

The Committee on Insurance recommend that House Bill No. 295 do pass.

WESLEY TAYLOR,
Chairman.

The report was adopted.

The Committee on Roads and Highways reported as follows:

Mr. Speaker:

The Committee on Roads and Highways recommend that House Bill No. 225 do pass and House Bill No. 233 do not pass.

W. W. DANIELS,
Chairman.

The report was adopted.

The Speaker directed the Committee on Ways and Means to report House Bill No. 89 with recommendations.

Council Bills Nos. 103, 10, 115, 26 and 154 were read the first time.

The following bills were introduced and read the first time:

House Bill No. 301, by Mr. Lydick.

House Bill No. 302, by Mr. Jester.

House Bill No. 303, by Mr. Jester.

House Bill No. 304, by Mr. Jester.
House Bill No. 305, by Mr. Craig.
House Bill No. 306, by Mr. Craig.
House Bill No. 307, by Mr. Craig.
House Bill No. 308, by Mr. Ballinger.
House Bill No. 309, by Mr. Bone.
House Bill No. 310, by Mr. McBride.
House Bill No. 311, by Mr. Speaker.
House Bill No. 312, by Mr. Gayman.

On motion by Mr. McBride, that the rules be suspended and all House Bills introduced be considered read the second time and referred to their proper committees, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 26.

Council Joint Resolution No. 7 was read the first time.

House Bill No. 310 was referred to the Judiciary Committee.

Council Concurrent Resolution No. 7 was read the first time.

On motion by Mr. Ballinger, that the Council's amendment to House Bill No. 128 be concurred in, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 26.

The Speaker declared the Council's amendment concurred in and directed that House Bill No. 128 be enrolled.

Mr. Ferris moved that the House reconsider the vote whereby House Bill No. 284 was refused to be placed on the Calendar. The motion carried.

Mr. McBride moved that House Bill No. 284 be printed and placed on the Calendar. The motion carried.

The Speaker signed Council Bill No. 23 and directed that the same be transmitted to the Council for the President's signature.

On motion by Mr. Ross, that the bills reported favorably on Tuesday out of the Committee of the Whole be ordered engrossed, the Speaker so ordered.

On motion by Mr. Lydick, the House went to the Committee of the Whole for the purpose of considering bills on the Calendar. The Speaker called Mr. Lydick to the Chair.

/ The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 160 do not pass, House Bill No. 82 do pass, House Bill No. 87 change places with No. 269, and House Bill No. 269 be made Special Order for Tuesday, February 28, at 2 o'clock P. M.

J. D. LYDICK,
Chairman.

The report was adopted.

Mr. Prouty, as chairman of the Committee of the Whole on February 22, reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bills Nos. 31, 141, 214 and 91 do pass.

FRANK PROUTY,
Chairman.

On motion of Mr. Robinson the report of the Committee of the Whole was adopted except as to House Bill No. 141.

Mr. Becker moved that House Bill No. 141 be referred to a special committee.

Mr. Gandy moved that the House adopt the report of the Committee. The motion carried.

Mr. Robinson moved to amend House Bill No. 141 by striking out Section 1, and numbering the following sections correctly.

On motion by Mr. Ferris, the House adjourned.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment with the Speaker in the Chair.

Mr. Gandy moved that the House concur in the Council's amendment to House Bill No. 1.

Mr. Ballinger moved, as a substitute to the motion pending, that further action of House Bill No. 1 be postponed indefinitely. Mr. Gandy arose to point of order.

The Chair ruled that the motion, as made by Mr. Ballinger, was out of order, and that the question before the House was, "Shall the House concur in Council's amendment."

Mr. Ballinger appealed from the decision of the Chair, and the question being, "Is the ruling of the Chair the judgment of the House," the roll call resulted: ayes: Becker, Bone, Gandy, Hogg, Ingmire, Jester, Ross, Wood, Mr. Speaker, 9; nays: Ballinger, Bryan, Craig, Ferris, Fuller, Gayman, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson and Taylor, 14; absent, Daniels, Logan and Walker, 3.

On motion by Mr. Ballinger, that further action on the bill be postponed indefinitely, the roll call resulted as follows: ayes: Ballinger, Bryan, Craig, Ferris, Fuller, Gayman, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Taylor, 13; nays: Becker, Bone, Gandy, Hogg, Ingmire, Jester, Logan, Robinson, Ross, Wood and Mr. Speaker, 11; absent: Daniels and Walker, 2.

On motion by Mr. Fuller to reconsider the vote whereby further action on House Bill No. 1 was postponed, the vote resulted: ayes: Becker, Bone, Gandy, Hogg, Ingmire, Jester, Robinson, Ross, Wood, and Mr. Speaker, 10; nays: Ballinger, Bryan, Craig, Ferris, Fuller, Gayman, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Taylor, 13; absent: Daniels, Logan, Walker, 3.

Mr. McBride moved that the report of the Committee of the Whole as to House Bill No. 141 be adopted.

Mr. Bryan moved as a substitute, that the report of the Committee

of the Whole be rejected, which motion was lost, and the report of the Committee was adopted.

The vote on Mr. Robinson's amendment to House Bill No. 141 resulted in favor of the amendment.

Mr. Logan moved that further consideration of House Bill No. 141 be postponed.

Mr. Ross moved to amend the motion by reconsidering the vote, whereby the amendment by Mr. Robinson by striking out Section 1 of House Bill No. 141 was adopted. The vote resulted: ayes: Ballinger, Bone, Craig, Ferris, Gandy, Hogg, Ingmire, Jester, Logan, McBride, Ross, Taylor, 12; nays: Becker, Bryan, Fuller, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Wood, Mr. Speaker, 11; absent: Daniels, Gayman and Walker, 3.

On reconsideration the vote to amend by striking out Section 1, resulted: ayes: Becker, Bryan, Ferris, Fuller, Levy, Maxwell, Noffsinger, Prouty, Robinson, Wood and Mr. Speaker, 11; nays: Bone, Craig, Gandy, Hogg, Ingmire, Jester, Logan, Lydick, McBride, Ross, Taylor, 11; absent: Ballinger, Daniels, Gayman and Walker, 4.

The Speaker declared the amendment lost.

Mr. Becker, as chairman of the Committee of the Whole on February 22, reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 105 be referred to a special committee, House Bills Nos. 277, 111, 163, 59, 113, 152 and 126 do pass, Council Bill No. 98 do pass as amended, House Bills Nos. 129 and 202 do pass as amended.

J. P. BECKER,
Chairman.

The report of the Committee except as to House Bill No. 129 was adopted.

Mr. Bone offered to amend House Bill No. 129 and moved the adoption of the amendment.

The amendment was adopted.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bills Nos. 68, 87, 72, 30, and committee substitute for Council Bill No. 5 and House Bill No. 71.

J. P. JAYNE,

Chief Clerk.

On motion the report of the Committee as on House Bill No. 129 was adopted.

The Speaker directed that House Bills Nos. 109 and 197 be enrolled.

Agreeable to a motion made and carried during the morning session, the Speaker referred the bills to their proper committee as follows:

House Bill No. 301, Committee on Judiciary.
House Bill No. 302, Committee on Banks and Banking.
House Bill No. 303, Committee on Ways and Means.
House Bill No. 304, Committee on Railroads.
House Bill No. 305, Committee on Private Corporations.
House Bill No. 306, Committee on Private Corporations.
House Bill No. 307, Committee on Agriculture.
House Bill No. 308, Committee on Municipal Corporations.
House Bill No. 309, Committee on Municipal Corporations.
House Bill No. 310, Committee on Judiciary.
House Bill No. 311, Committee on Education.
House Bill No. 312, Committee on Agriculture.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that Substitute House Bill No. 92 is correctly engrossed; House Bill No. 9

correctly enrolled; House Bills Nos. 152, 31, 110, 202, 267, 214, 91, 163, 113, 103, 111, 82, 48, 59, 133. 141, 126 and 166 are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed House Bill No. 132 and directed that the same be transmitted to the Council for the signature of Mr. President.

House Resolution No. 11 by Mr. Gandy was read.

Mr. Becker moved that the House go into the Committee of the Whole for the purpose of considering bills on the Calendar. The Speaker called Mr. Noffsinger to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bill No. 60, the Council refusing its amendments, and ask for a Conference Committee and name as members on the part of the Council, Mr. Alexander, Mr. Scott and Mr. Woodson.

J. P. JAYNE,
Chief Clerk

Message from the Council:

Mr. Speaker:

I have the honor to inform the House through you that Council concurs in the House amendments to substitute for Council Bill No. 37.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 161 do pass as amended.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

As per request of the Council to appoint a Conference Committee to consider House Bill No. 60, the Speaker appointed on the part of the House, Mr. Fuller, Mr. Gandy and Mr. Becker.

On motion the House adjourned.

JESSE B. NORTON,
Speaker.

FORTY-SIXTH DAY

Guthrie, Oklahoma Territory,

Friday, February 24, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

The roll call showed all members present.

The Journal of February 22 and 23 was read and approved.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bills Nos. 99, 80 and 27 for Mr. Speaker's signature, House Bill No. 132 signed by Mr. President and Council Bill No. 107.

J. P. JAYNE,
Chief Clerk.

On a question of personal privilege, Mr. Maxwell was recorded as voting "aye" on House Bill No. 96, (the "fellow servant bill.").

On the announcement of the death of Mrs. A. L. Sharrock, Mr. Ross moved that the House adjourn out of respect to Senator Sharrock. The Speaker appointed Mr. Ross and Mr. Logan to lend assistance to Senator Sharrock.

The House adjourned.

AFTERNOON SESSION.

The House convened at 2 o'clock P. M. pursuant to adjournment with the Speaker in the Chair.

On motion by Mr. Lydick, House Bill No. 229 was made special order for Tuesday, March 1, 3 o'clock P. M.

On motion by Mr. McBride, to appoint two members of the House to accompany the remains of Mrs. Sharrock, to Cleo, the Speaker appointed Mr. Prouty and Mr. Jester.

On motion by Mr. Noffsinger, the House went into the Committee of the Whole for the purpose of considering House Bill No. 167 and substitute for the same. Mr. Bone was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration Substitute for House Bill No. 167, recommend that the same be printed and placed on the Calendar, made special order for Saturday, February 25, 10 o'clock A. M.

B. B. BONE,
Chairman.

The report was adopted.

Council Bill No. 107 was read the first time.

The following bills were read the second time and referred to Committees:

Council Bill No. 103, Committee on Judiciary.

Council Bill No. 87, Committee on Judiciary.

Council Bill No. 154, Committee on Criminal Jurisprudence.

Council Bill No. 72, Committee on Ways and Means.

Council Bill No. 10, Committee on Municipal Corporations.

Council Bill No. 88, Committee on Judiciary.

Council Concurrent Substitute for House Bill No. 71 and Council Bill No. 5, Committee on Ways and Means.

The Speaker signed House Bills Nos. 128 and 109 and Council Bills Nos. 80, 99 and 27, and directed that the same be transmitted to the Council for Mr. President's signature.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 128, 109 and 133 correctly enrolled; House Bill No. 161 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bills Nos. 311 and 298 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

On motion by Mr. Ross, to suspend the rules and consider House Bills Nos. 198, 311 and 298 read the third time, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; absent: Jester and Wood, 2.

The Speaker declared the rules suspended and House Bill No. 298 was placed on final passage. The vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; absent: Jester and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 311 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Noffsinger, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; absent: Jester and Wood.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 198 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 25; absent: Wood, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The following bills were introduced and read the first time:

House Bill No. 313, by Mr. Ferris.

House Bill No. 314, by Mr. Levy.

House Bill No. 315, by Mr. Walker.

House Bill No. 316, by Mr. Maxwell.

House Bill No. 317, by Mr. Bryan.

House Bill No. 318, by Mr. Fuller.

House Bill No. 319, by Mr. Fuller.

House Bill No. 320, by Mr. Fuller.

On motion by Mr. Noffsinger, Council Joint Resolution No. 7 was read the second time.

Mr. Ferris moved to amend Council Joint Resolution No. 7 by striking out the words "forty-fifth" and inserting in lieu thereof, the word "fiftieth."

Mr. Fuller moved to amend by making the word "forty-fifth" read "forty-ninth" day.

The motion carried and the resolution was so amended.

The vote on the adoption of Council Joint Resolution No. 7 as amended, resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 22; nays: Bryan and Daniels, 2; absent: Hogg and Wood, 2.

The Speaker declared the resolution adopted.

The vote on the adoption of House Resolution No. 10 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, McBride, Prouty, Ross,

Taylor, Walker, Mr. Speaker, 20; nays: Bryan, Ferris, Maxwell and Robinson, 4; absent: Noffsinger and Wood, 2.

The Speaker declared the resolution adopted.

On motion by Mr. Lydick, to suspend the rules and consider the bills on the Calendar read the third time and placed on final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; nays: Gandy, 1; absent: Wood, 1.

The Speaker declared the rules suspended and the bills placed on final passage.

The vote on final passage of House Bill No. 48 resulted: ayes. Ballinger, Bone, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Logan, Noffsinger, Prouty, Ross, Taylor and Mr. Speaker, 15; nays: Becker, Daniels, Gandy, Levy, Lydick, Maxwell, McBride, Robinson and Walker, 9; absent: Wood, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 133 resulted. ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 22; nays: Bryan, Fuller, Lydick, 3; absent: Wood, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage House Bill No. 110 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 23; present and not voting: Daniels and Jester, 2; absent: Wood, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 103 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gay-

man, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; nays: Daniels, 1; absent: Wood, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 166 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 23; nays: Maxwell, 1; absent: McBride and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 31 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker and Mr. Speaker, 24; absent: Ross and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On final passage of House Bill No. 141 the vote resulted: ayes: Bone, Craig, Gandy, Hogg, Ingmire, Jester, Logan, McBride, Robinson, Taylor, Walker, 11; nays: Ballinger, Becker, Bryan, Daniels, Fuller, Gayman, Levy, Lydick, Noffsinger, Prouty, Mr. Speaker, 11; absent: Ferris, Maxwell, Ross and Wood, 4.

The Speaker declared the passage of the bill refused.

Mr. Ballinger explained his vote as follows:

“Mr. Speaker:

“I vote ‘no’ for the reason that the provisions of the bill are so stringent that I do not believe that the juries could be induced to return verdicts of guilty upon evidence which would convict under present existing law. Juries would hesitate and seek a ‘reasonable doubt’ before voting to send a man to the penitentiary for an offense of this kind. For the further reason that we now have a good and

sufficient law upon this subject, and gambling can be suppressed in any locality when the proper attempt is made by the local officials and the people."

The vote on final passage of House Bill No. 214 resulted: ayes: Ballinger, Bryan, Craig, Ferris, Gayman, Hogg, Levy, Logan, Lydick, Prouty, Taylor, Walker and Mr. Speaker, 13; nays: Becker, Bone, Daniels, Fuller, Gandy, Ingmire, Jester, Maxwell, McBride, Noffsinger, and Robinson, 11; absent: Ross and Wood, 2.

The Speaker declared the passage of the bill refused.

The vote on final passage of House Bill No. 91 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Gandy, Ingmire, Jester, McBride, Prouty, Taylor, Walker and Mr. Speaker, 14; nays: Ferris, Fuller, Gayman, Hogg, Levy, Lydick, Noffsinger, Robinson, 8; present and not voting: Maxwell, 1; absent: Logan, Ross, Wood, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 267 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Prouty, Robinson, Taylor, Walker and Mr. Speaker, 21; absent: Hogg, Logan, Noffsinger, Ross and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 163 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Taylor, Walker and Mr. Speaker, 22; absent: Bone, Noffsinger, Ross, Wood, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 111 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, Maxwell, Noffsinger, McBride,

Prouty, Robinson, Taylor, Walker and Mr. Speaker, 21; nays: Hogg, 1; absent: Bone, Logan, Ross and Wood, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 59 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Walker and Mr. Speaker, 22; absent: Logan, McBride, Ross and Wood, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 129 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Mr. Speaker, 24; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 202 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Fuller, Gandy, Gayman, Ingmire, Levy, Noffsinger, Prouty, Ross, Taylor, Walker, Mr. Speaker, 16; nays: Daniels, Ferris, Hogg, Jester, Lydick, Maxwell, McBride, Robinson, 8; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 113 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 152 resulted: ayes:

Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 24; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 126 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Gandy, Gayman, Ingmire, Levy, Lydick, McBride, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 18; nays: Ferris, Fuller, Hogg, Jester, Maxwell and Noffsinger, 6; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 82 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 23; nays: Hogg, 1; absent: Logan and Wood, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 161 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Levy, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 19; nays: Hogg, Jester, Noffsinger, 3; absent: Bone, Logan, Lydick and Wood, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Jester that the vote, whereby the passage of House Bill No. 214 was refused, be reconsidered, the vote resulted: ayes: Ballinger, Bryan, Craig, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker and Mr. Speaker, 18; nays: Becker, Fuller, Ingmire, McBride, Noffsinger and Robinson, 6; absent: Bone, Wood, 2.

On motion by Mr. Fuller, that House Bill No. 214 be recommitted

to the Committee of the Whole, the vote resulted: ayes: Ballinger, Becker, Bone, Daniels, Fuller, Ingmire, McBride, Noffsinger, Prouty and Mr. Speaker, 10; nays: Bryan, Craig, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Robinson, Ross, Taylor, Wood, 15; present and not voting: Walker, 1.

The Speaker declared the motion to recommit the bill lost.

The vote on final passage of House Bill No. 214 resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gandy, Gayman, Hogg, Levy, Logan, Lydick, Ross, Taylor, Walker, Wood, Mr. Speaker, 16; nays: Becker, Fuller, Ingmire, Jester, Maxwell, McBride, Noffsinger, Prouty, Robinson, 9; present and not voting: Daniels, 1.

The Speaker declared the bill passed and the entitling and enacting clause agreed to.

By unanimous consent Mr. Daniels introduced House Bill No. 321, which was read the first time.

On motion by Mr. Noffsinger the House adjourned until 10 o'clock A. M., Saturday, February 25, 1905.

JESSE B. NORTON,
Speaker.

FORTY-SEVENTH DAY

Guthrie, Oklahoma Territory

Saturday, February 25, 1905.

MORNING SESSION.

The house convened pursuant to adjournment with the Speaker in the chair.

The roll call showed all members present except Mr. Jester, Mr. McBride, Mr. Prouty and Mr. Wood, excused by the Speaker.

The Journal of the preceding day was read and approved.

Message from the council.

Mr. Speaker:

I have the honor to transmit herewith Substitute Council Bill No. 37 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

The Speaker signed substitute for Council Bill No. 37 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Becker, the House resolved itself into Committee of the Whole for the purpose of considering Special Order House Bill No. 310, Substitute for House Bill No. 167.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 310, Substitute for House Bill No. 167, do pass as amended.

I. B. LEVY,
Chairman.

The report was adopted.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Judiciary Committee recommend that House Bill No. 294 do not pass, House Bill No. 301 do pass, and House Bill No. 296 do not pass.

W. W. NOFFSINGER,
Chairman.

On motion by Mr. Ross the report of the Committee except as to House Bill No. 294 was adopted.

On motion by Mr. Ross, House Bill No. 294 was ordered printed and placed on the Calendar.

The Committee on Private Corporations reported as follows:

Mr. Speaker:

The Committee on Private Corporations recommend that House Bill No. 290 do pass.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bill No. 312 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Committee on Insurance reported as follows:

Mr. Speaker:

The Committee on Insurance recommend that House Bill No. 193, Committee Substitute, do pass, and House Bill No. 228 be printed and placed on the Calendar.

JOHN INGMIRE,
T. M. ROBINSON,
A. McBRIDE.

Mr. Speaker:

Minority report: House Bill No. 193, Committee Substitute, do pass, and House Bill No. 228 be printed and placed on the Calendar.

WESLEY TAYLOR,
SCOTT FERRIS.

The report as to House Bill No. 228 was adopted.

On motion the minority report of the Committee was adopted.

On motion by Mr. Gandy, the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M., pursuant to adjournment with the Speaker in the Chair.

The Committee on Enrolled and Engrossed Bills reported as follows: -

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 311 and 198 correctly engrossed and House Bill No. 197 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

By unanimous consent Mr. Noffsinger introduced House Joint Resolution No. 13, which was read the first time. |

On motion by Mr. Noffsinger, that the rules be suspended and House Joint Resolution No. 13 considered read the second time and passed on its third reading, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, and Mr. Speaker, 20; absent: Craig, Gandy, Jester, McBride, Walker and Wood, 6.

The Speaker declared the rules suspended and House Joint Resolution No. 13 was read the third time.

On motion to adopt House Joint Resolution No. 13, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller,

Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor and Mr. Speaker, 19; absent, Craig, Gandy, Jester, McBride, Prouty, Walker and Wood, 7.

The Speaker declared the resolution adopted and ordered the same engrossed.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bills Nos. 128 and 109 which have been signed by the President.

J. P. JAYNE,
Chief Clerk.

The Speaker signed House Bill No. 197 and directed that the same be transmitted to the Council for the signature of Mr. President.

Council Concurrent Resolution and Memorial No. 3 was read the second and third time and the vote on final passage resulted: ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor and Mr. Speaker, 20; absent: Craig, Jester, McBride, Prouty, Walker and Wood, 6.

The Speaker declared the resolution adopted.

The following bills were introduced and read the first time:

House Bill No. 322, by Mr. Daniels.

House Bill No. 323, by Mr. Hogg.

The Speaker directed that House Bills Nos. 128 and 109 be transmitted to the Governor for his approval.

The following bills were read the second time and referred to committees:

Council Bill No. 107, Committee on County and Township Organization.

Council Bill No. 26, Committee on Quarantine.

House Bill No. 313, Committee on Criminal Jurisprudence.

House Bill No. 314, Committee on Banks and Banking.

House Bill No. 315, Committee on Private Corporations.

House Bill No. 316, Committee on Railroads.

House Bill No. 317, Committee on Private Corporations.

House Bill No. 318, Committee on Railroads.

House Bill No. 319, Committee on Ways and Means.

House Bill No. 320, Committee on Municipal Corporations.

House Bill No. 321, Committee on Judiciary.

On motion by Mr. Ballinger the House went into Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Maxwell was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bill No. 112 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bill No. 197 which has been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bill No. 197 be transmitted to the Governor for his approval.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration bills on the Calendar, recommend that Committee Substitute for House Bill No. 93 do pass as amended, House Bills Nos. 94, 248, 218, 65, 114, 283, 164 and 150 do pass, House Bills Nos. 159 and 206 do pass as amended, House Bill No. 187 do not pass and House Bills Nos. 11 and 195 be laid over but retain their place on the Calendar.

W. A. MAXWELL,
Chairman.

Mr. Becker moved that the report be adopted except as to House Bill No. 187. The motion carried.

Mr. Becker moved that the Committee recommend that House Bill No. 187 do pass and asked for the aye and nay vote. The vote resulted: ayes: Ballinger, Becker, Craig, Daniels, Ingmire, Maxwell, Noffsinger, Ross, Taylor and Mr. Speaker, 10; nays: Bryan, Ferris, Gandy, Hogg, Levy, Logan, Lydick and Robinson, 8; absent: Bone, Fuller, Gayman, Jester, McBride, Prouty, Walker and Wood, 8.

The Speaker declared the motion carried.

On motion by Mr. Ross, the Speaker was instructed to employ such help as is needed in the enrolling and engrossing work.

The Speaker appointed as a special committee to consider House Bill No. 125, Mr. Daniels, Mr. Bryan and Mr. Gandy.

On motion by Mr. Robinson the House adjourned until 10 o'clock A. M., February 27, 1905.

JESSE B. NORTON,
Speaker.

FORTY-EIGHTH DAY

Guthrie, Oklahoma Territory,

February 26, 1905.

NO SESSION.

FORTY-NINTH DAY

Guthrie, Oklahoma Territory,

Monday, February 27, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present, except Mr. Ingmire, excused by the Speaker.

The Journal of Saturday, the Forty-Seventh day, was read and approved.

Council Bill No. 112 was read the first time.

Mr. Ross offered a petition which was placed on file.

The Committee on County and Township Organizations reported as follows:

Mr. Speaker:

The Committee on County and Township Organizations recommend Council Bill No. 107 do pass.

A. J. ROSS,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 298 and 310 are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bills Nos. 299, 234 and 293 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that House Bill No. 302 do not pass.

W. N. WALKER,
Chairman.

The report was adopted.

A communication from the Central State Normal School, inviting the members of the House or a committee to visit that school, was read.

The following bills were introduced and read the first time:

- House Bill No. 324, by Mr. Gayman.
- House Bill No. 325, by Mr. Gayman.
- House Bill No. 326, by Mr. Bryan.
- House Bill No. 327, by Mr. Bryan.
- House Bill No. 328, by Mr. Bryan.
- House Bill No. 329, by Mr. Bryan.
- House Bill No. 330, by Mr. Prouty.
- House Bill No. 331, by Mr. Prouty.
- House Bill No. 332, by Mr. Wood.
- House Bill No. 333, by Mr. Levy.
- House Bill No. 334, by Mr. Ferris.
- House Bill No. 335, by Mr. Ferris.
- House Bill No. 336, by Mr. Noffsinger.
- House Bill No. 337, by Mr. Ross.
- House Bill No. 338, by Mr. Ross.
- House Bill No. 339, by Mr. Ross.
- House Bill No. 340, by Mr. Becker.

House Bill No. 341, by Mr. Becker.

House Bill No. 342, by Mr. Walker.

House Bill No. 343, by Mr. McBride.

House Bill No. 344, by Mr. Noffsinger.

On motion by Mr. McBride, that the rules be suspended and House Bills Nos. 343, 344, 335, 332, be considered read the second time, engrossed and passed to their third reading, the vote resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Bryan and Ingmire, 2.

The vote on third reading and final passage of House Bill No. 343 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker, 24; absent: Bryan and Ingmire, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of House Bill No. 344 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Bryan and Ingmire, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of House Bill No. 335 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Daniels, Fuller and Ingmire, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of House Bill No. 332 resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Fuller,

Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Bryan, Daniels and Ingmire, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Speaker directed that House Bills Nos. 343, 344, 335 and 332 be engrossed.

On motion by Mr. Prouty, that the rules be suspended and all bills introduced be read the second time and referred to their proper committees, the vote resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Bryan, Daniels and Ingmire, 3.

The Speaker declared the rules suspended and the following bills were read the second time and referred to committees:

Council Bill No. 112, Committee on Judiciary.

House Bill No. 324, Committee on Judiciary.

House Bill No. 325, Committee on Liquor Traffic.

House Bill No. 326, Committee on Judiciary.

House Bill No. 327, Committee on Roads and Highways.

House Bill No. 328, Committee on Criminal Jurisprudence.

House Bill No. 329, Committee on Roads and Highways.

House Bill No. 330, Committee on Insurance.

House Bill No. 331, Committee on Appropriations.

House Bill No. 333, Committee on Education.

House Bill No. 334, Committee on Compensation of Public Officers.

House Bill No. 336, Committee on Judiciary.

House Bill No. 337, Committee on Criminal Jurisprudence.

House Bill No. 338, Committee on Criminal Jurisprudence.

House Bill No. 339, Committee on Military Affairs.

House Bill No. 340, Committee on Ways and Means.

House Bill No. 341, Committee on Ways and Means.

House Bill No. 342, Committee on Judiciary.

On motion by Mr. Ballinger, the House went into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Gandy was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bills Nos. 115, 129 and 139, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 11 do not pass, and House Bill No. 140 do pass as amended.

J. P. GANDY,
Chairman.

Council Bills Nos. 116, 129 and 139 were read the first time.

On motion by Mr. Fuller, the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock pursuant to adjournment with the Speaker in the chair.

House Bill No. 322 was referred to Committee on Judiciary, and House Bill No. 323 to Committee on Liquor Traffic.

House Bill No. 345, by Mr. Taylor, was introduced and read the first time.

On motion by Mr. Gandy, that the rules be suspended, House Bill No. 345 be read the second time and referred to committee, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Logan, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Ingmir and Robinson, 2.

The Speaker declared the rules suspended. House Bill No. 343 was read the second time and referred to the Special Committee on Constitutional Convention.

A motion by Mr. Fuller carried to make House Bill No. 43 special order for Thursday, March 2, and for the Speaker to appoint a committee of three to prepare the bill. The Speaker appointed Mr. Ross, Mr. Fuller and Mr. Wood.

On motion by Mr. Lydick the House went into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Ferris was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bill No. 49, which has passed the Council as mended.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 107 be substituted for House Bill No. 195, and Council Bill No. 107 do pass; House Bills Nos. 239 and 139 do pass as amended; House Bills Nos. 282, 205 and 175 do pass.

SCOTT FERRIS,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 159, 114, 248, 218, 203, 93, 206, 283, 94, 65, are correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Ballinger moved that the House do not concur in the Council's proposals of amendment to House Bill No. 49. The motion carried.

The Speaker declared that the House had refused to concur in the amendments and ordered the clerk to so inform the Council.

On motion by Mr. Fuller the House adjourned.

EVENING SESSION.

The House reconvened at 7:30 o'clock P. M., pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Ross, the House voted to accept the invitation by order of the Eagles to attend a banquet to be given at their parlors on Tuesday evening, February 28, 1905.

On motion by Mr. Prouty, the House resolved itself into Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Fuller was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration bills on the Calendar, recommend House Bills Nos. 257, 259, 208, 81, 189, Substitute for House Bill No. 10, House Bills No. 124 and No. 224, do pass; House Bills Nos. 171 and 168 do pass as amended, and House Bill No. 241 do not pass.

R. R. FULLER,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 239, 187, 164, 243, 335, 140, 244, 150, 332, and 205 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On motion by Mr. Robinson the House adjourned until 10 o'clock
A. M., February 28, 1905.

JESSE B. NORTON,
Speaker.

FIFTIETH DAY

Guthrie, Oklahoma Territory,
Tuesday, February 28, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Journal of the preceding day was read and approved.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bill No. 8 for the signature of Mr. Speaker.

J. P. JAYNE,
Chief Clerk.

The Committee on Roads and Highways reported as follows:

Mr. Speaker:

The Committee on Roads and Highways recommend that House Bills Nos. 327 and 329 do pass.

W. W. DANIELS,
Chairman.

The report was adopted.

Mr. Ballinger moved that all bills in the hands of the Committee, not reported out by Wednesday, be turned over to the Sifting Committee.

The motion carried.

The Speaker signed Council Bill No. 8 and directed that the same be transmitted to the Council for the signature of Mr. President.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 306 do pass as amended by the Committee.

C. E. WOOD,
Chairman.

The report was adopted.

The Conference Committee on House Bill No. 60 reported as follows:

Mr. Speaker:

Your Conference Committee, appointed to confer with a like Committee from the Council on House Bill No. 60, beg to report that the joint Committee recommend that the Council insert 12,000 in lieu of 15,000 and recede from amendments pertaining to the reduction of the number of jurors provided for, and the ratification of this bill by Congress; and further recommend that the House concur in the Council amendment in reducing the salary of the Probate Judge from \$2400 to \$2000 per year.

Respectfully submitted,

R. R. FULLER,
Chairman.

J. P. BECKER,
J. P. GANDY,

On motion to adopt the report of the Committee the vote resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Lydick, Maxwell, McBride, Noffsinger, Pronty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Jester and Logan, 2.

The report was adopted.

Mr. Ross tendered thanks to the members of the House, on behalf of Senator Sharrock, for the kindness and assistance rendered him during his recent bereavement.

On motion by Mr. Becker, the House passed to bills on third reading and final passage.

On motion by Mr. Ballinger the Council Bills on third reading were considered first.

The vote on final passage of Council Bill No. 13 resulted: ayes, Ballinger, Craig, Daniels, Ferris, Gayman, Hogg, Ingmire, Jester, Levy, Prouty, Ross, Taylor, Walker, 13; nays, Becker, Bone, Bryan, Fuller, Gandy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Wood, and Mr. Speaker, 13.

The Speaker declared the passage of the bill refused.

On motion by Mr. Ross, Council Bill No. 19 was recommitted to the Committee of the Whole.

The vote on third reading and final passage of Council Bill No. 18, resulted: ayes, Ballinger, Becker, Bryan, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of Council Bill No. 28 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. President, 23; nays, Ferris and Ross, 2; absent, Fuller, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, Council Bill No. 75 was recommitted to the Committee of the Whole.

The vote on third reading and final passage of Council Bill No. 96 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 25; absent, Prouty, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on third reading and final passage of Council Bill No. 9 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, Council Bill No. 94 was recommitted to the Committee of the Whole.

On motion by Mr. Lydick the House went into Committee of the Whole for the purpose of considering Council Bill No. 94. The Speaker called Mr. Lydick to the chair.

The Committee of the Whole arose and recommended that Council Bill No. 94 do pass, as amended.

The report was adopted.

The vote on final passage of Council Bill No. 94 resulted: ayes, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 25; absent: Ballinger, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Substitute Council Bill No. 15 for House Bill No. 135 resulted: ayes, Bone, Bryan, Craig, Ferris, Fuller, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Robinson, and Wood, 15; nays, Becker, Daniels, Gandy, Gayman, McBride, Prouty, Ross, Taylor, Walker, and Mr. Speaker, 10; absent, Ballinger, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 95 resulted: ayes,

Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Logan, Council Bill No. 98 was recommitted to the Committee of the Whole.

On motion by Mr. Wood the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock P. M., pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Walker the House went into Committee of the Whole for the purpose of considering bills on special order. Mr. Becker was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Concurrent Resolution No. 4, which has passed the Council; also that the Council insists on its amendments to House Bill No. 49 by Mr. Ballinger, and asks that conference committee be appointed and name, as members of the Conference Committee on the part of the Council, Mr. Alexander, Mr. Sharrock, and Mr. Niblack.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 269, special order, do pass as amended, Substitute for the original House Bill No. 229 do pass and House Bill No. 251 do pass as amended.

J. P. BECKER,
Chairman.

The report was adopted.

Mr. Gandy, Speaker pro tempore, was called to the chair.

On motion by Mr. Norton, to suspend the rules and consider House Bills Nos. 269 and 251 read the third time and placed upon the final passage, the vote resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Fuller, Ferris, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; nays, Maxwell, McBride, Noffsinger, and Robinson, 4; absent, Hogg, 1.

The Speaker declared the rules suspended and the bills placed on final passage.

The vote on final passage of House Bill No. 269 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Logan, Lydick, Prouty, Ross, Taylor, Walker, Wood, and Mr. Speaker, 19; nays, Jester, Levy, Maxwell, McBride, Noffsinger, and Robinson, 6; absent, Hogg, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Jester explained his vote as follows:

“Mr. Speaker:

“I am in favor of a fair appropriation for this institution but I regard this appropriation as extravagant so I vote ‘No.’”

Mr. Levy explained his vote as follows:

“Mr. Speaker:

“I vote ‘No’ because I believe the appropriation of \$92,500 is too large amount for the improvement required and would like to vote for this bill if it carried an appropriation of \$50,000. I therefore vote ‘No.’”

Mr. Logan explained his vote as follows:

“Mr. Speaker:

“I desire to explain my vote. The Governor of our Territory, being a member of the Board of Regents of the A. & M. College, and as I have the interest and confidence in his ability and honesty to

see that the money will be honestly and judiciously expended and that there will be no graft, I therefore vote 'Aye.'"

Mr. McBride explained his vote as follows

"Mr. Speaker:

"I vote 'No' for the reason that the appropriation asked for by the various educational institutions of the Territory are of such an enormous amount that the tax payers of the Territory cannot stand such extravagance. And as we are compelled, as soon as we become a state, to divide our institutions with the Indian Territory, I do not consider it fair for our people to pay this enormous tax and then divide our institutions with a people that have not contributed one dollar to them."

The vote on final passage of House Bill No. 251 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, Prouty, Ross, Taylor, Walker, Wood, and Mr. Speaker, 19; nays, Ferris, Jester, Maxwell, McBride, Noffsinger, and Robinson, 6; absent, Hogg, 1.

Mr. Jester explained his vote as follows:

"Mr. Speaker:

"I have never been informed of any urgent need of this building. I think this appropriation too much so I vote 'No.'"

On motion by Mr. Becker the House adjourned until 10 o'clock A. M. March 1, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-FIRST DAY

Guthrie, Oklahoma Territory,
Wednesday, March 1, 1905.

MORNING SESSION.

The House convened pursuant to adjournment, with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Committee on Enrolled and Engrossed Bills reported as follows

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 168, 175, 139, 10, 208, 189, 81, 259, 124, 171, 224, and 269 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Ross offered a petition which was placed on file.

The Ways and Means Committee reported as follows

Mr. Speaker:

The Committee on Ways and Means recommend that Council Bill No. 72, Council Committee Substitute Bill No. 5, House Bill No. 279 and House Bill No. 303 be printed and placed on the Calendar.

DYKE BALLINGER,
Chairman.

The report was adopted.

The Committee on Appropriations reported as follows:

Mr. Speaker:

The Committee on Appropriations recommend that House Bill No. 331 be printed and placed on the Calendar.

J. P. BECKER,
Chairman.

The report was adopted.

The Committee on Agriculture reported as follows:

Mr. Speaker:

The Committee on Agriculture recommend that House Bill No. 307 do pass.

JOHN INGMIRE,
Chairman.

The report was adopted.

The Special Committee appointed to investigate the Capitol National Bank reported as follows:

To the Council and House of Representatives of the Eighth Legislative Assembly:

We, the Joint Committee, appointed by the Council and House of Representatives for the purpose of investigating the condition of the Territorial fund in the defunct Capitol National Bank, respectfully beg to make the following report:

On the.....day of.....we, J. R. Scott, who was elected Chairman of the Joint Committee, Dr. John Threadgill, by request a member of the Committee, and W. W. Noffsinger, by request also a member of the Committee, appeared at the place of business of the Capitol National Bank in charge of.....Willoughby, receiver.Willoughby, was not there. The assets of said bank apparently was in charge of.....
.....

We showed said party, who claimed to have said bank in charge, a letter from the Comptroller, also the resolutions passed by both Houses of the Eighth Assembly authorizing said Committee to make such examination. Said..... in charge absolutely refused to either recognize said letter, or in authorizing or

giving permission in any wise to make examination on the Territorial fund in said bank. Our Committee further desires to report that said Willoughby, receiver, was absent; that it is the belief of the members of the Committee who went there for the purpose of examination, that said Willoughby was absent purposely, with the intent to interfere, hinder and delay the examination of the condition of said fund by said Legislative Committee, and the said Committee respectfully request and ask of said Legislative Assembly that the present condition and hinderance of the examination of said bank by said receiver be reported to the President of the United States, calling his attention to the same and asking such right as he may be able to grant in the premises.

Mr. Noffsinger moved, that the names of the absent members of the Committee be added to the report, and the report be adopted.

Mr. Bryan moved as a substitute, that the report be laid over and the members whose names are absent from the report, be given an opportunity to get together and inform themselves of the character and necessity of the report made.

The substitute motion carried.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bills Nos. 28, 9, 15 and 26 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 257 and 251 correctly engrossed and House Bill No. 60 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Criminal Jurisprudence reported as follows:

Mr. Speaker:

The Committee on Criminal Jurisprudence recommend that Council Bills Nos. 115 and 154 and House Bills Nos. 338, 337, 328, and 313 be printed and placed on the Calendar.

J. P. BECKER,
Chairman.

The report was adopted.

The Committee on Banks and Banking reported as follows:

Mr. Speaker:

The Committee on Banks and Banking recommend that House Bill No. 314 be printed and placed on the Calendar.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Quarantine reported as follows:

Mr. Speaker:

The Committee on Quarantine recommend that Council Bill No. 26 be printed and placed on the Calendar.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 292 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

Agreeable to request from the Council, that the Speaker appoint a Conference Committee relating to House Bill No. 49, the Speaker appointed Mr. Ballinger, Mr. Prouty and Mr. Bryan, as members of such Committee on the part of the House.

The Speaker signed Council Bills Nos. 28, 96, 15 and 9 and House

Bill No. 60 and directed that the same be transmitted to the Council for the signature of Mr. President.

The following bills were read the second time and referred to their Committees:

Council Bill No. 116, Committee on Ways and Means.

Council Bill No. 129, Committee on Judiciary.

Council Bill No. 139, Committee on Judiciary.

Council Concurrent Resilution No. 4 was read the first time.

On motion by Mr. Ross, the House went into Committee of the Whole for the purpose of considering Council Bills Nos. 19, 75 and 98. Mr. McBride was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 19 do pass as amended, Council Bill No. 75 be made special order for Friday at 2 o'clock, Council Bill No. 98 be referred to a committee of one for correction, and report at 2 o'clock.

A. McBRIDE,

The report was adopted.

Chairman.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 229 correctly engrossed.

B. B. BONE,

The report was adopted.

Chairman.

The Speaker appointed Mr. Robinson as a Committee to correct Council Bill No. 98 and directed that he report at 2 o'clock.

The Judiciary Committee reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that House Bills Nos. 321 and 322 do pass.

W. W. NOFFSINGER,

The report was adopted.

Chairman.

On motion the House adjourned.

AFTERNOON SESSION.

The House reconvened at 2 o'clock, pursuant to adjournment.

Mr. Robinson asked for further time to report on the correction of Council Bill No. 98 and the same was granted.

On motion by Mr. Fuller, to suspend the rules and consider House Bills Nos. 292 and 293 considered passed upon by the Committee of the Whole and placed on their third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Robinson, 1.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 293 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Robinson, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 292 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Logan, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

House Bill No. 269 was amended by the Council. On the question, "Will the House concur in the Council's proposals of amendment," the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Lydick, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 18; nays: Daniels, Jester, Levy, Maxwell, McBride and Robinson, 6; absent: Logan and Noffsinger, 2.

The Speaker declared the Council's amendment concurred in.

On motion by Mr. McBride, to suspend the rules and place House Bill No. 310, substitute for House Bill No. 167, on third reading and final passage, the vote resulted: ayes: Becker, Bryan, Craig, Gayman, Hogg, Logan, Lydick, Noffsinger, Prouty, Robinson, Taylor and Mr. Speaker, 12; nays: Ballinger, Bone, Daniels, Ferris, Gandy, Ingmire, Jester, Levy, McBride, Maxwell, Walker and Wood, 12; absent: Fuller, and Ross, 2.

The Speaker declared the motion lost.

The vote on final passage of House Bill No. 310 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Fuller, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 93 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 94 resulted: ayes: Ballinger, Bone, Craig, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, McBride, Noffsinger, 11; nays: Becker, Bryan, Daniels, Ferris, Fuller, Gandy, Levy, Lydick, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 15.

The Speaker declared the passage of the bill refused.

The vote on final passage of House Bill No. 248 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 218 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Lydick, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Ross, House Bill No. 159 was recommitted to the Committee of the Whole.

On motion by Mr. Daniels, the House resolved itself into Committee of the Whole for the purpose of considering House Bill No. 159. The Speaker called Mr. Daniels to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration House Bill No. 159, recommend that the same do pass as amended.

W. W. DANIELS,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, Council Bill No. 89 and Substitute Council Bills Nos. 55 and 39, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The vote on final passage of House Bill No. 159 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Wood, 19; nays: Bryan, Gandy, Levy, Prouty, Walker and Mr. Speaker, 6; absent: Lydick, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Bryan explained his vote as follows:

“Mr. Speaker:

“I vote against this bill for the following reasons: First: We now have a good statute covering this subject, requiring railroad companies to fence their roads; second: I am opposed to a departure from the rules of procedure which require the plaintiff to prove his case, and to thus throw upon the defendant the burden of proof.”

On motion by Mr. Ross, House Bill No. 206 was recommitted to the Committee of the Whole. Mr. Taylor was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bills Nos. 124, 152, 91, 120, 131, and House Bills Nos. 138, 121, 216, 68, 99, 201, 76 and 104 which have passed the Council.

J. P. JAYNE,
Chief Clerk

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bill No. 60, signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that these bills be transmitted to the Governor for his approval.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration House Bill No. 206 recommend that the same do pass as amended.

WESLEY TAYLOR,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bill No. 344, which has passed the Council on suspension of the rules.

J. P. JAYNE,
Chief Clerk.

The vote on final passage of House Bill No. 206 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; nays: Gandy, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Council Bills Nos. 131, 152, 91, 120, 124, Committee Substitute for Council Bills Nos. 55 and 39, and Council Bill No. 89 were read the first time.

The Speaker directed that the House Bills which had passed the Council be enrolled.

Mr. Lydick moved that the House do not concur in the Council's proposals of amendment to House Bill No. 201. The motion carried.

Mr. Lydick moved that the House do concur in the Council's proposal of amendment to House Bill No. 104. The motion carried.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bills Nos. 22, 91 and 72 reported unfavorably by the Council.

J. P. JAYNE,
Chief Clerk.

The vote on third reading and final passage of House Bill No. 229 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Mc-

Bride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker, 22; nays: Walker, 1; absent: Bone and Fuller, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion the House voted to concur in Council's proposals of amendment to House Bill No. 99.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside Council Bill No. 46, which has passed the Council.

J. P. JAYNE,

Chief Clerk.

Council Bill No. 46 was read the first time.

Mr. Lydick gave notice that he would move to reconsider the vote whereby Council Bill No. 13 was refused.

On motion the House adjourned until 10 o'clock A. M., March 2, 1905.

JESSE B. NORTON,

Speaker.

FIFTY-SECOND DAY

Guthrie, Oklahoma Territory,

Thursday, March 2, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 269 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 281 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

Council Concurrent Resolution No. 4 was read the third time.

Mr. Gandy moved the adoption of Council Concurrent Resolution No. 4.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bills Nos. 94, 18 and 95 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. Ballinger, that Council Concurrent Resolution No. 4 be laid on the table the vote resulted: ayes: Ballinger, Becker, Bryan, Craig, Gayman, Ingmire, Jester, Logan, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, 15; nays: Daniels, Ferris, Gandy, Hogg, Levy, Maxwell, Robinson and Wood, 8; present and not voting: Mr. Speaker, 1; absent: Bone and Fuller, 2.

The Speaker declared Council Concurrent Resolution No. 4 ordered to lie.

Mr. Maxwell introduced House Bill No. 346, which was read the first time.

On motion by Mr. Maxwell to suspend the rules, considered House Bill No. 346 read the second time and passed to its third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent: Fuller, 1.

The Speaker declared the rules suspended.

The vote on third reading and final passage of House Bill No. 346 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Fuller and Noffsinger, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The following bill was introduced and read the first time:

House Bill No. 347, by Committee on Education.

On motion by Mr. Ross, to suspend the rules and consider House Bill No. 347 considered, read the second time and placed on its third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays: Robinson, 1; absent: Bryan, Fuller and Noffsinger, 3.

The Speaker declared the rules suspended.

House Bill No. 347 was read the third time and placed on its final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays: Ferris, Hogg, Jester, Maxwell, McBride, Noffsinger, Robinson, 7.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Becker explained his vote as follows:

“Mr. Speaker:

“On the final vote of this measure I desire to offer this explanation of my vote. This being in the nature of a regular House Bill and not going through the hands of my Committee on Appropriations. I do not feel as much of a personal responsibility as I might otherwise. Former Legislatures have set a bad example and recorded a precedent uncalled for, by establishing so many territorial schools before there was any demand for them and we must prevent them from going to decay or suffering waste, and records show that this school so well patronized, and the needs of this school are growing, it being our own property, I deem it the duty of the Eighth Legislative Assembly to protect our property—that sacred school—and preserve that which former legislatures have in times of apparent prosperity, but to me uncalled for at the time, planted and caused to grow, in our midst. For the preservation of that school and its reputation in the future, I vote ‘Aye.’”

On motion by Mr. Prouty, to suspend the rules and consider

House Bill No. 331 read the second time and considered engrossed and placed on its third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Gandy, Gayman, Hogg, Levy, Logan, Maxwell, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 16; nays: Craig, Ferris, Fuller, Ingmire, Jester, McBride, Noffsinger and Robinson, 8; absent: Daniels and Lydick, 2.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 331 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Ferris, Fuller, Jester, Maxwell, McBride and Robinson, 6;

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Becker made the same explanation to his vote as on House Bill No. 347.

The Speaker signed House Bill No. 269 and Council Bills Nos. 94, 95 and 18 and directed that the same be transmitted to the Council for the signature of Mr. President.

Mr. Fuller asked that special order, set for 11 o'clock, be considered as unfinished business and taken up immediately after reconvening in the afternoon, which request was granted.

On motion by Mr. Walker, the invitation extended to the Legislative body, from the members of the Chambers of Commerce of Oklahoma City, to visit them at their parlors Saturday evening, March 4, was accepted.

On motion by Mr. Prouty the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the Chair.

The following bills were read the second time and referred to the committees:

Council Bill No. 120, Committee on Judiciary.

Council Bill No. 152, Committee on County and Township Organization.

Council Bill Substitute for Council Bills Nos. 55 and 39, Committee on Printing.

Council Bill No. 91, Committee on Judiciary.

Council Bill No. 46, Committee on Municipal Corporations.

Council Bill No. 131, Committee on Judiciary.

Council Bill No. 139, Committee on County and Township Organization.

Council Bill No. 116, Committee on Ways and Means.

Council Bill No. 129, Committee on Ways and Means.

Council Bill No. 124, Committee on Private Corporations.

Council Bill No. 89, Committee on Agriculture.

Mr. Becker moved that the rules be suspended and hereafter the House convene at 9 o'clock in the morning and at 1:30 o'clock in the afternoon.

The motion carried.

Mr. Becker moved that the rules be suspended and House Bill No. 340 be considered, reported do pass by the Committee of the Whole and placed on third reading and final passage. The vote resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Bryan and Fuller, 2.

The Speaker declared the rules suspended and the bill placed on third reading.

The vote on final passage resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; nays: Jester, 1; absent: Bryan and Fuller, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The committee appointed to examine into the defunct Capitol

National Bank, asked for further time, which was granted.

Mr. Ross moved that the name of Claud B. Baker be now entered on the roll as an employee of this House, and that the entry shall show that his employment began at the commencement of the session of the Eighth Legislative Assembly.

The Special Committee on Reform School reported as follows:

Mr. Speaker:

The Special Committee on Reform School, of the House, having had under consideration Committee Substitute for House Bill No. 43 entitled, "An Act providing for a Reform School," herewith recommend the substitute hereto attached, for passage by the House, report it back to the House with recommendation that the substitute do pass.

A. J. ROSS,
Chairman.

Mr. Wood presented minority report as follows:

Mr. Speaker:

As a member of special committee to consider the bill providing the care of Juvenile offenders. I wish to report in my judgment said institution should not be located at any particular town by the legislature, but that the Governor should be given authority to contract with responsible parties with or without the Territory of Oklahoma, for the maintenance of Juvenile offenders as provided in House Bill No. 43. And I do this for the following reasons: First: The Legislature has at present no authority to locate any such institution; second: Should it be located at Anadarko as provided in the majority report, large expenditure of money would be necessary in erecting suitable buildings before undertaking the care of such Juvenile offenders; third: The minority report is along the lines of the Ross bill, which gives the governor the authority to contract with responsible parties within or without the Territory for their care the same as in the care of convicts and insane patients; fourth: In my judgment the tying up of the measure to any particular town will defeat the bill, and I, therefore, recommend that House Bill No. 43 be passed as printed.

C. E. WOOD,
Member of the Committee.

Mr. Ballinger moved the adoption of the majority report.

Mr. Gandy moved to amend the motion by adopting the minority report.

The minority report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 346 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

House Bill No. 348 was introduced by the Committee on Fish and Game, and read the first time.

On motion by Mr. Ross, the House went into Committee of the Whole for the purpose of considering special order, House Bill No. 43. Mr. Wood was called to the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to inform the House through you that the Council has receded from its amendments to House Bill No. 201.

J. P. JAYNE,
Chief Clerk.

Mr. Robinson, the committee of one appointed by the Speaker to amend Council Bill No. 98, reported Committee Substitute for Council Bill No. 98.

The report was adopted.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 43 do pass as amended, Substitute for Council Bill No. 98 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

Mr. Lydick moved that the House reconsider the vote whereby the passage of Council Bill No. 13 was refused. The vote on roll call resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor and Mr. Speaker, 20; nays: Bone, Gandy, Ingmire, Noffsinger, Walker and Wood, 6.

The vote on final passage of Council Bill No. 13 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, 20; nays: Bone, Gandy, Ingmire, Noffsinger, Wood and Mr. Speaker, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Committee on Education introduced House Bill No. 349, which was read the first time.

Mr. Bone moved that the rules be suspended and Committee Bill No. 349 be considered read the second time and placed on its third reading and final passage. The vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Daniels and Lydick, 2.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 349 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays: Ferris, 1; absent: Daniels, Lydick and Robinson, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Bryan moved that the rules be suspended and House Bill No. 114 be considered read the second time and placed on its third reading and final passage. The vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire,

Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; nays: McBride, 1; absent: Daniels, 1.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 114 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; nays: Robinson, 1; absent: Gandy, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 283 resulted: ayes: Ballinger, Becker, Bone, Craig, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; nays: Bryan, Daniels, Ferris, Maxwell and Robinson, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 203 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, Walker and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Levy, House Bill No. 164 was recommitted to the Committee on Education and Substitute for House Bill No. 10 was substituted in its place on the Calendar.

The vote on final passage of Substitute for House Bill No. 10 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Wood, 24; nays: Ingmire and Mr. Speaker, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 150 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 187 resulted: ayes: Ballinger, Becker, Bone, Daniels, Ferris, Gayman, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Prouty, Ross, Taylor, Walker, Wood, and Mr. Speaker, 18; nays: Bryan, Craig, Fuller, Gandy, Hogg, Levy, Noffsinger, Robinson, 8.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 140 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 26.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 107 resulted: ayes, Ballinger, Bryan, Craig, Ferris, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker, Wood, 16; nays: Becker, Bone, Daniels, Fuller, Gandy, Ingmire, McBride, Noffsinger, and Mr. Speaker, 9; absent, Robinson, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 282 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Mc-

Bride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, and Mr. Speaker, 25; absent, Robinson, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 339 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, 24; nays: Fuller and Mr. Speaker, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 205 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood, and Mr. Speaker, 24; nays, Ross, 1; absent, Logan, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 139 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood, 21; nays, Maxwell, Walker, and Mr. Speaker, 3; absent, Logan and Lydick, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 175 resulted: ayes, Ballinger, Bone, Hogg, Jester, Levy, Lydick, McBride, Robinson, Taylor, Walker and Mr. Speaker, 11; nays: Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Maxwell, Prouty, Ross, and Wood, 13; absent, Logan and Noffsinger, 2.

The Speaker declared the passage of the bill refused.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 347, 292, 293, 206, 331 and 349 properly engrossed, and House Bills Nos. 99, 68, 76 and 121 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Ballinger gave notice that he would move a reconsideration of the vote whereby the passage of House Bill No. 175 was refused.

The vote on final passage of House Bill No. 65 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Fuller, Logan and Noffsinger, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 257 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Fuller, Levy, Logan and Noffsinger, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 259 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 21; absent, Fuller, Ingmire, Levy, Logan, and Noffsinger, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 171 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Ingmire, Levy, Logan and Noffsinger, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 208 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 3; absent, Levy, Logan and Noffsinger, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 81 resulted: ayes, Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Levy, Lofan and Noffsinger, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 189 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 24; absent: Logan and Levy, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of House Bill No. 168 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 23; nays: Daniels, 1; absent, Levy and Logan, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 124 resulted: Ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, Logan, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, and Mr.

Speaker, 16; nays: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Lydick, Maxwell and Robinson, 7; absent, Levy 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 224 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays: Craig and Jester, 2; absent, Levy and Logan, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

Mr. Ross moved to suspend the rules and consider House Bill No. 43 read the second time and passed to its third reading and final passage. The vote resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Levy and Logan, 2.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 43 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Levy and Logan, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

Mr. Noffsinger moved that when the House adjourn, it adjourn until 7:30 P. M.

The vote on final passage of Council Bill No. 98 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker 20; absent, Bone, Ferris, Levy, Logan, Lydick and Walker, 6.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 19 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays; McBride, Prouty, 2; absent, Levy, Logan, Lydick and Maxwell, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 104 and 216 are correctly enrolled and House Bill No. 43 is correctly engrossed.

B. B. Bone,
Chairman.

The report was adopted.

The Speaker signed House Bills Nos. 121, 76, 99, 104, 216 and 68 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion the vote was reconsidered by which the House voted to adjourn until 7:30 P. M.

On motion the House adjourned until 10 o'clock A. M., March 3, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-THIRD DAY

Guthrie, Oklahoma Territory,

Friday, March 3, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

On motion by Mr. Becker to suspend the rules and dispense with the reading of the Journal each morning for the remainder of the session, the vote resulted: Ayes: Becker, Bone, Ferris, Gandy, Gayman, Ingmire, Noffsinger, Prouty, Ross, Taylor, Walker and Mr. Speaker, 12; nays; Craig, Daniels, Hogg, Jester, Logan, and Maxwell, 6; absent, Ballinger, Bryan, Fuller, Levy, Lydick, McBride, Robinson and Wood, 8.

The Speaker declared the rules suspended.

On motion by Mr. Becker, the House resolved itself into the Committee of the Whole for the purpose of considering bills on General Order. Mr. Jester was called to the chair.

The Committee of the whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 192 do pass, House Bill No. 95 change places with House Bill No. 274 on the Calendar and 274 do pass, House Bill No. 157 do pass as amended, House Bill No. 217 do pass as amended, House Bill No.

144 change places on the Calendar with House Bill No. 227 and 227 do pass as amended, House Bills Nos. 207 and 242 do pass.

J. A. JESTER,
Chairman.

On motion by Mr. Maxwell, the report with the exception of House Bill No. 157 was adopted.

On motion the report on House Bill No. 157 was adopted.

Mr. Maxwell moved to amend House Bill No. 157 by striking out the words "or to the railroad commissioners, their secretaries, clerks, and employees, or to any other officer or person, not prohibited by law."

The motion carried.

Committee Bill No. 350 was introduced and read the first time.

On motion by Mr. Levy to suspend the rules, consider House Bill No. 350 read the second time and House Bills Nos. 350 and 274 placed on their third reading and final passage, the vote resulted; Ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Daniels, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Fuller, Lydick, 2.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 350 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Bone, Fuller, Lydick and Noffsinger, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 274 resulted: Ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Bone, Fuller, Levy and Lydick, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Ballinger to suspend the rules and consider House Bills Nos. 192, 157, 227, 207, 242 and 217 read the third time and placed on final passage, the vote resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Lydick and Ross, 2.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 192 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy Logan, Maxwell, McBride Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Lydick and Ross, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 157 resulted: Ayes: Ballinger, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson and Wood, 19; nays; Becker, Gandy, Prouty, Taylor, Walker and Mr. Speaker, 6; absent 1.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 227 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 25; absent, Robinson, 1.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 207 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Wood, Walker and Mr. Speaker, 24; absent, Hogg and Ross, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 242 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, and Wood, 21; nays: Levy, Lydick, Maxwell and Mr. Speaker, 4; absent Ross, 1.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 217 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Daniels, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. Speaker, 25; absent, Ross, 1.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The Speaker directed that House Bills Nos. 192, 157, 227, 207, 242 and 217 be engrossed and that House Bill No. 201 be enrolled.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bill No. 13 for Mr. Speaker's signature and House Bill No. 269 signed by Mr. President, and inform the House that the Council has refused to concur in the House amendments to Council

Bill No. 19, by a vote of 12 ayes and one absent and that the Council has concurred in the House amendments to Council Bill No. 98 by a vote of 9 ayes, 2 nays, 2 absent.

J. P. JAYNE,
Chief Clerk.

Mr. Lydick moved that the House recede from the Council's refusal to concur in the House amendments to House Bill No. 19.

Mr. Bone moved to amend the motion that the House insist in its amendments.

The Speaker signed Council Bill No. 13 and directed that the same be transmitted to the Council for the signature of Mr. President.

The Speaker directed that House Bill No. 269 be transmitted to the Governor for his approval.

On motion by Mr. Noffsinger the House adjourned.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment with the Speaker in the chair.

Council Bill No. 19 was taken up as unfinished business.

The question before the House being "Shall the House recede from its amendments," the vote resulted: Ayes: Ballinger, Hogg, Jester, Levy, Logan, Lydick, Prouty and Robinson and Mr. Speaker, 9; nays: Becker, Bone, Daniels, Ferris, Gandy, Gayman, Ingmire, Noffsinger, Ross, Taylor, Walker and Wood, 12; absent, Bryan, Craig, Fuller, Maxwell and McBride, 5.

The Speaker declared the motion lost and that the House insist on its amendments.

On motion by Mr. Wood, that the Chair appoint a Conference Committee, the motion carried and the Speaker appointed as such Committee on the part of the House, Mr. Bone, Mr. Prouty and Mr. Lydick.

The Speaker directed that House Bill No. 364 be enrolled.

The Committee on Municipal Corporations reported as follows:

Mr. Speaker:

The Committee on Municipal Corporations recommend that House Bill No. 309 do pass and Council Bill No. 46 do pass.

C. E. WOOD,
Chairman.

The report was adopted.

The Committee on Liquor Traffic reported as follows:

Mr. Speaker:

The Committee on Liquor Traffic recommend that House Bill No. 323 do pass.

JOHN J. GAYMAN,
Chairman.

The report was adopted.

The Committee on Judiciary reported as follows:

Mr. Speaker:

The Committee on Judiciary recommend that Council Bill No. 91 do pass as amended.

W. W. NOFFSINGER,
Chairman.

The report was adopted.

On motion by Mr. Daniels to reconsider the vote whereby the passage of House Bill No. 175 was refused, the vote resulted: Ayes: Ballinger, Craig, Daniels, Levy, Lydick, McBride, Noffsinger, Robinson, Taylor and Mr. Speaker, 10; nays: Becker, Bone, Bryan, Ferris, Gandy, Gayman, Ingmire, Jester, Logan, Prouty, Ross, Walker and Wood 13; absent, Fuller and Maxwell, 2; present and not voting, Hogg, 1.

The motion was lost.

The Committee on Compensation of Public Officers reported as follows:

Mr. Speaker:

The Committee on Compensation of Public Officers recommend that House Bill No. 334 be printed and placed on the Calendar.

A. McBRIDE,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, notice that the Council has appointed as a Conference Committee on Council Bill No .19, Mr. Decker, Mr. Sharrock, and Mr. Alexander.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to inform the House through you that House Bills Nos. 45, 163, 50, 45, 103, and 27 were defeated.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to inform you that House Bills Nos. 298, 198, and 293 have passed the Council on suspension of rules.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 344, 201, 138, and 346 correctly engrossed, House Bills Nos. 350, 192, 274, 217, 157, 227, and 207 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker directed that House Bills Nos. 298, 292 and 198 be enrolled.

Mr. Lydick moved, that when the House do adjourn, it adjourn until 7:30 P. M.

The motion carried.

The Speaker appointed Mr. Ballinger and Mr. Maxwell as a Committee to arrange with the Council for a joint meeting for the purpose of receiving Mr. Carvin McIsaacs, representing the Lewis and Clark Exposition at Portland, Oregon.

On motion by Mr. Lydick, the House resolved itself into the Committee of the Whole for the purpose of considering the bills on the Calendar. Mr. Walker was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 57 do pass as amended, House Bill No. 215 do pass, House Bill No. 211 do pass, House Substitute for Substitute House Bill No. 41 do pass as amended, House Bill No. 212 do pass, House Bill No. 260 do pass, and Council Bill No. 75 do pass.

W. N. WALKER,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 242 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Committee on Education reported as follows:

Mr. Speaker:

The Committee on Education recommend that House Bill No. 137 do pass and that the same be printed and placed on the Calendar.

A. J. ROSS,
Chairman.

The report was adopted.

Mr. Levy moved that the rules be suspended and House Bills Nos. 57, 215, 211, 212 and 260 and Council Bill No. 75 be placed on final passage. The vote resulted: Ayes: Ballinger, Becker, Bone,

Craig, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays: Bryan, Daniels, Maxwell, McBride and Robinson, 5; absent, Fuller and Ingmire, 2.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 75 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Bryan, Fuller and Ingmire, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 215 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Bryan, Fuller and Ingmire, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 57 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Logan, Lydick, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays; Hogg, Jester, Levy, 3; absent, Bryan, Fuller, Maxwell and Ingmire, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 211 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Bryan, Fuller and Ingmire, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 212 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Bryan, Fuller and Ingmire.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside Council Bill No. 107 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk..

The vote on final passage of House Substitute for House Bill No. 41 resulted: Ayes: Becker, Craig, Daniels, Ferris, Gandy, Hogg, Levy, Logan, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Ballinger, Bone, Gayman, Jester, McBride, Prouty, 6; absent, Bryan, Fuller, Ingmire, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 260 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Bryan, Fuller, and Ingmire, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The Speaker signed Council Bill No. 107, House Bills Nos. 346, 344, 138 and 201 and directed that they be transmitted to the Council for the signature of Mr. President.

On motion the House adjourned.

EVENING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Gayman the House went into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Bone was called to the Chair.

The House was at ease while Mr. Calvin McIsaacs, representative of the Lewis-Clark Centennial, addressed the body.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bills Nos. 200, 275, do not pass, 219 do pass and Council Bills Nos. 8, 63, 45, 81, 90, 101, 50, 38, 97, 110, 71, 51, 52 and 40 do pass.

B. B. BONE,
Chairman.

The report was adopted.

On motion by Mr. Bryan, the House adjourned until 10 o'clock A. M., March 4, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-FOURTH DAY

Guthrie, Oklahoma Territory,

Saturday, March 4, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present except Mr. Ingmire, excused by the Speaker.

On motion by Mr. Becker, the House went into the Committee of the Whole for the purpose of considering bills on the Calendar.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bills Nos. 121, 104, 99, 76, and 68 which have been signed by the President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 121, 104, 99, 76 and 68 be transmitted to the Governor for his approval.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 232 do not pass, Council Bill No. 46 be substituted for House Bill No. 108 and change places with House Bill No. 183 on the Calendar, Council Bill No. 46 do pass, House Bill No. 223 be stricken from the

Calendar, House Bill No. 137 do pass as amended, House Bill No. 155 change places with House Bill No. 206 and 206 do pass, House Bill No. 63 retain its place on the Calendar, House Bill No. 252 change places with House Bill No. 253 and No. 252 do pass, House Bill No. 236 do pass, House Bill No. 264 retain its place on the Calendar, House Bill No. 291 be substituted for House Bill 270 and 291 do pass, House Bill No. 230 be passed over and retain its place on the Calendar, House Bill No. 263 change places with House Bill No. 258 and 263 do pass, House Bill No. 199 change places with 290 and 290 do pass as amended, and House Bill No. 125 do pass.

DYKE BALLINGER,

Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the body over which you preside House Bills Nos. 346, 138, 344 and 201 which have been signed by Mr. President.

J. P. JAYNE,

Chief Clerk.

The Speaker directed that House Bills Nos. 346, 138, 344 and 201 be transmitted to the Governor for his approval.

House Bill No. 351 was introduced by the Committee on Drainage and Irrigation and read the first time.

Mr. Gandy moved that the rules be suspended and that House Bill No. 351 be read the second time and referred to the Committee of the Whole.

The vote on suspension of rules resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Fuller and Ingmire, 2.

The Speaker declared the rules suspended and House Bill No. 351 was read the second time and referred to the Committee of the Whole.

Mr. Robinson moved that the Committee on Constitutional Convention be requested to report on House Bills Nos. 156 and 345.

Mr. Levy moved to amend the motion by making these bills a special order for Monday at 2 o'clock.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside House Bill No. 56 which has been amended by the Council.

J. P. JAYNE,
Chief Clerk.

Mr. Maxwell moved as a substitute for all motions pending that the House proceed to act on House Bills Nos. 345 and 156 and make them special order.

Mr. Maxwell asked for roll call which resulted: Ayes: Bryan, Craig, Ferris, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Robinson and Taylor, 12; nays: Becker, Bone, Daniels, Gandy, Gayman, Noffsinger, Prouty, Ross, Walker, Wood and Mr. Speaker 11; absent, Ballinger, Fuller, Ingmire, 3.

The Speaker declared the motion lost.

On motion by Mr. Bocker, the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the chair.

On motion by Mr. Prouty the House adjourned until 10 o'clock A. M., March 6, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-SIXTH DAY

Guthrie, Oklahoma Territory,

Monday, March 6, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

Mr. Becker moved that the Appropriation Bill be made special order for Tuesday morning at 9 o'clock.

The motion carried.

On motion by Mr. Becker the House went into the Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Walker was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House Council Bills Nos. 118, 177 and 178 which have passed the Council, and Council Substitute No. 98 for the Speaker's signature.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 162, House Bills Nos. 23, 47 and 111 which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 47, 23 and 111 be enrolled.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend House Bills Nos. 276, 261, 238, and 210 do pass as amended and House Bills Nos. 266, 155, 244, 281, 210, 142 and 281 do pass.

W. N. WALKER,
Chairman.

The report was adopted.

Council Bills Nos. 162, 177, 118 were read the first time.

The Speaker signed Substitute for Council Bill No. 98 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Maxwell, House Bill No. 210 was amended by striking out the amendments made by the Committee of the Whole.

On motion by Mr. Bryan, all bills in the hands of the committees were ordered reported out and placed on general order.

On motion by Mr. Walker, the House adjourned.

AFTERNOON SESSION.

The House reconvened with the Speaker in the chair.

House Bill No. 352 was introduced by the Appropriation Committee and read the first time.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Concurrent Resolution No. 5 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. McBride, the House resolved itself into the Committee of the Whole for the purpose of considering bills on the Calendar.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 316 be printed and placed on the Calendar and take the place of House Bill No. 63, House Bill No. 264 be placed in the hands of a committee of three for the purpose of consideration, Council Bill No. 118 be substituted for House Bill No. 254 and Council Bill No. 118 do pass; House Bill No. 254 do pass.

SCOTT FERRIS,
Chairman.

The report was adopted.

The Speaker appointed as special committee to take charge of House Bill No. 263, Mr. McBride, Mr. Noffsinger and Mr. Maxwell.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 298, 198, and 292 correctly enrolled, and House Bills Nos. 270, 252, 236, 211, 212, 306, 41, 219, 57, 291, 185, 137, 290, 263, 215, 179, and 125 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On motion by Mr. Becker, that the House concur in the Council amendments to House Bill No. 47 the vote resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, McBride, Noffsinger, Prouty, Robinson, Rose, Walker, Wood and Mr. Speaker, 21; absent, Ballinger, Becker, Logan, Maxwell and Taylor, 5.

The Speaker declared the Council amendment concurred in.

The Speaker directed that House Bill No. 47 be engrossed.

Mr. Bryan moved that the rules be suspended and the bills on third reading be considered read the third time and placed on their final passage. The vote resulted: Ayes: Bone, Bryan, Craig, Ferris,

Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Walker, Wood and Mr. Speaker, 19; absent, Ballinger, Becker, Daniels, Fuller, Logan, McBride and Taylor 7.

The Speaker declared the rules suspended and bills on third reading were ready for final passage.

The vote on final passage of House Bill No. 219 resulted: Ayes: Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; absent, Ballinger, Becker, Bryan, Logan, McBride and Noffsinger, 6.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 185 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Ballinger, Becker and Logan, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 137 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Ballinger and Becker, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 306 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent, Ballinger and Becker, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 252 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; nays; Robinson, 1; absent, Ballinger, Becker, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to

The vote on final passage of House Bill No. 236 resulted: Ayes: Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Ballinger, Becker, Bone, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 291 resulted: Ayes: Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Taylor, Walker, Wood and Mr. Speaker, 19; nays, Daniels, McBride, Robinson, 3; absent, Ballinger, Becker, Bone and Ross, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 179 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker 23; absent, Ballinger, Becker and Noffsinger, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 263 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg,

Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker 23; absent, Ballinger, Becker and Noffsinger, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 290 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Walker, and Wood, 20; nays: Jester, Taylor, and Mr. Speaker; 3; absent, Ballinger, Becker and Noffsinger, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Committee Substitute for House Bill No. 125 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Ballinger, Becker, Hogg, Noffsinger 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 276 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker 22; absent, Ballinger, Becker, Noffsinger, Prouty, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 266 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; nays: Gandy, 1; absent; Ballinger, Becker, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 261 resulted: Ayes: Bone, Craig, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Bryan, Daniels, Fuller, Levy, 4; absent, Ballinger and Backer, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 151 resulted: Ayes: Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker 23; nays; McBride, 1; absent, Ballinger and Becker, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 244 resulted: Ayes: Bryan, Daniels, Ferris, Hogg, Ingmire, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, 17; nays: Bone, Craig, Fuller, Gandy and Mr. Speaker 5; absent; Ballinger, Becker, Gayman and Logan, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 280 resulted; Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays: Logan and McBride, 2; absent: Ballinger and Bryan, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 210 resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 24; absent; Ballinger and Bryan, 2.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

By unanimous consent Mr. Becker introduced House Bill No. 253 which was read the first time.

On motion by Mr. Becker to suspend the rules and consider House Bill No. 253 read the second time and placed upon its final passage the vote resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 24; absent: Bryan and Ballinger, 2.

The Speaker declared the rules suspended and House Bill No. 253 on its third reading and final passage.

The vote on third reading and final passage of House Bill No. 142 resulted: Ayes: Bone, Craig, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker 20; nays; Daniels, Fuller and Walker, 3; absent; Ballinger, Becker and Bryan, 3.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 281 resulted: Ayes: Becker, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; nays; Bone, 1; absent; Ballinger, Bryan, Gayman and Lydick, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 254 resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Gandy, Hogg, Ingmire, Jester, Levy, Logan, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker, 19; nays: Fuller, Maxwell and Walker, 3; absent, Ballinger, Ferris, Gayman, Lydick, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Noffsinger to suspend the rules and place Council Bill No. 118 on its third reading and final passage the vote resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Jester, Levy, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 20; absent: Ballinger, Bryan, Gayman, Logan, Lydick, Prouty, 6.

The Speaker declared the rules suspended.

The roll call on third reading and final passage of Council Bill No. 118 resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Wood, Walker and Mr. Speaker, 22; absent: Ballinger, Bryan, Lydick and Prouty, 4.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Craig, the House resolved itself into the Committee of the Whole for the purpose of considering Council Bill No. 46 and Council Bill No. 91. Mr. Taylor was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 46 do pass as amended and Council Bill No. 91 do pass as amended.

WESLEY TAYLOR,
Chairman.

The report was adopted.

The vote on third reading and final passage of Council Bill No. 46 resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Jester, Levy, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; absent: Ballinger, Hogg, Ingmire, Logan, Lydick, McBride, and Noffsinger, 7.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Robinson, Council Bill No. 91 was recommitteed to the Committee of the Whole.

On motion by Mr. Levy the House adjourned until 10 o'clock A. M., March 7, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-SEVENTH DAY

Guthrie, Oklahoma Territory,

Tuesday, March 7, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Speaker signed House Bills Nos. 198, 298, and 292 and directed that the same be transmitted to the Council for the signature of Mr. President.

Mr. Lydick moved that Council Bill No. 90 be placed upon its final passage.

Mr. Levy moved as a substitute to recommit Council Bill No. 90 to the Committee of the Whole.

The substitute carried.

On motion by Mr. Lydick, the House resolved itself into the Committee of the Whole for the purpose of considering Council Bill No. 90. Mr. Logan was called to the chair:

The Committee of the whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Council Bill No. 90 do pass as amended.

O. J. LOGAN,
Chairman.

The report was adopted.

On motion by Mr. Lydick to suspend the rules and place Council Bill No. 90 on its final passage the vote resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 26.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 90 resulted: Ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; nay: Levy, 1.

The Speaker declared the Bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, the House resolved itself into the Committee of the Whole for the purpose of considering House Bill No. 353, the appropriation bill, with Mr. Gandy in the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, the information that the Council has concurred in the House amendments to Council Bill No. 90 by a vote of 12 ayes and one absent.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bills Nos. 298, 198 and 292 which have been signed by the President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 298, 198 and 292 be transmitted to the Governor for his approval.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 352 be added to No. 353 and made Special Order for 2 o'clock P. M. today, Nos. 316 do pass, 182 do pass, 295 do pass, 301 do pass, 279 do pass, 294 do pass, and 301 do pass.

J. P. GANDY,
Chairman.

The report was adopted.

Mr. Becker introduced House Resolution No. 12 as follows, which was read the first time:

BE IT RESOLVED by the House of Representatives of the Eighth Legislative Assembly of the Territory of Oklahoma; That all Journals, Session Laws and Statutes furnished this body by the Secretary of the Territory upon the convening of this Session be, and the same are hereby declared to be the property of the members of this body.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 254, 266, 142, 244, 151, 238, 261, 280, 276, 281 and 210 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On motion by Mr. Becker to suspend the rules and consider House Resolution No. 12 read the second time and placed on its third reading and final passage, the vote resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, Mr. Speaker 23; absent: Bryan, Gayman and Ingmire, 3.

The vote on adoption of the House Resolution No. 12 resulted: Ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Hogg,

Jester, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Maxwell and Robinson, 2; absent: Bryan, Fuller, Gayman and Ingmire, 4.

The Speaker declared the resolution adopted.

The Speaker appointed as members of the Sifting Committee, Mr. Ballinger, Mr. Ross, Mr. Walker, Mr. Gayman, Mr. Fuller, Mr. Lydick, and Mr. Bryan.

On motion by Mr. Walker, the House adjourned.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment, with the Speaker in the Chair.

Council Bills Nos. 162 and 177 were read the first time, and referred to the Sifting Committee.

The Sifting Committee made the following report:

Mr. Speaker:

The Sifting Committee recommend Council Bills Nos. 162 and 38 be placed on third reading and final passage and that all bills reported favorably by the Committee of the Whole be placed on third reading and final passage.

DYKE BALLINGER,
Chairman.

The report was adopted.

On motion by Mr. McBride, the House resolved itself into the Committee of the Whole for the purpose of considering House Bill No. 264. Mr. Gandy was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, the information that the Council has refused to concur in the House amendments to Council Bill No. 75 and insist on the original bill as passed by the Council.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 90 for Mr. Speaker's signature and House Bill No. 218 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 264 do not pass.

J. P. GANDY,
Chairman.

The report was adopted.

House Bill No. 353, Special Order, the Committee reported progress and asked leave to sit again.

C. E. WOOD,
Chairman.

The report was adopted.

Mr. Lydick moved, that when the House do adjourn, it adjourn until 7:30 P. M.

The motion carried.

On motion the House adjourned.

EVENING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Becker, the House resolved itself into the Committee of the Whole for the purpose of taking up unfinished business. Mr. Ross was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole having had under consideration

unfinished business, recommend that Committee report progress and beg leave to sit again.

A. J. ROSS,
Chairman.

The report was adopted.

The Speaker ordered House Bill No. 218 engrossed, signed Council Bill No. 90, and directed the same transmitted to the Council for Mr. President's signature.

Mr. Ross moved that the House recede from its amendments to Council Bill No. 75.

Mr. Noffsinger amended the motion by moving that the House insist upon its amendments and ask for a Conference Committee.

The motion carried.

The Speaker appointed as such Conference Committee Mr. Noffsinger, Mr. Daniels, Mr. Maxwell.

On motion the House adjourned until 9 o'clock A. M. March 8, 1905.

JESSE B. NORTON,
Speaker.

FIFTY-EIGHTH DAY

Guthrie, Oklahoma Territory,

March 8, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

Mr. Ross introduced House Resolution No. 13 which was read the first time.

On motion by Mr. Ross to suspend the rules and consider House Resolution No. 13 read the second time and placed on its third reading and final passage the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent, Craig, 1.

The Speaker declared the rules suspended.

The vote on third reading and final passage of House Resolution No. 13, resulted: ayes: Ballinger, Becker, Bone, Bryan, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood, and Mr. Speaker, 25; absent: Craig, 1.

The Speaker declared the resolution adopted.

Mr. McBride introduced House Resolution No. 14 which was read the first time.

On motion by Mr. Prouty, House Resolution No. 14 was ordered to lie.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bills Nos. 182 and 295 are correctly engrossed and House Bills Nos. 111, 23 and 47 are correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

On motion by Mr. Gandy, the House resolved itself into Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Prouty was called to the chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House the information that the Council has reconsidered the vote by which they refused to concur in House amendments to Council Bill No. 75 on the Fifty-Seventh Day, and now do concur in House amendments to the Bill by a vote of 10 ayes, 1 nay and 2 absent, and ask for return of said bill to the Council Chamber.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bill No. 118 and directed that the same be transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bills Nos. 314, 126, 110, 214, 129, 161 and 152 which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report progress and ask leave to sit again.

J. P. BECKER,
Chairman.

The report was adopted.

The Conference Committee on Council Bill No. 19 reported as follows:

Mr. Speaker:

The Conference Committee recommend that the House recede from its amendments.

B. B. BONE,
Chairman.

On motion by Mr. Ferris, the House refused to adopt the report of the Conference Committee:

The Conference Committee on House Bill No. 49 reported as follows:

Mr. Speaker:

The Committee on Conference of the House having had under consideration House Bill No. 49 report it back to the House with the recommendation that the same do pass as amended by the Council.

DYKE BALLINGER,
FRANK G. PROUTY,
MILTON BRYAN,

The report was adopted.

The Speaker directed that House Bill No. 49 be enrolled.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 316, 279 and 301 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

On motion the House adjourned.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment with ~~the~~ Speaker in the chair.

The Speaker directed that House Bills Nos. 343 and 110 be enrolled.

The Speaker directed the chief clerk to ~~notify~~ the Council of the action of the House on a report of the Conference Committee as to Council Bill No. 19, that the House refused to adopt the report of the Committee.

Mr. Wood moved that another Conference Committee be appointed to consider Council Bill No. 19. The motion prevailed and the Speaker appointed Mr. Walker, Mr. Wood and Mr. Levy.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House the information that the report of the Conference Committee on House Bill No. 49 has been adopted by the Council: ayes: 12; absent: 1.

J. P. JAYNE,
Chief Clerk.

Mr. Levy moved that the House concur in Council amendment to House Bill No. 214.

Mr. Fuller amended the motion by moving that the House non-concur in the Council's proposal of amendments to House Bill No. 214.

On a vote, the House refused to non-concur in the Council's proposals of amendment.

A roll call was demanded on the motion that the House do concur in the Council's proposals of amendment to House Bill No. 214, which resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Hogg, Ingmire, Jester, Levy, Logan, Lydick, McBride, Noffsinger, Ross, Wood and Mr. Speaker, 19; nays: Fuller, Gayman, Maxwell, Taylor and Walker, 5; absent: Prouty and Robinson, 2.

On motion the House concurred in the Council amendments to House Bill No. 152.

On motion by Mr. Lydick to concur in the Council amendment to House Bill No. 126, the Speaker directed that House Bills Nos. 152 and 126 be enrolled.

On motion by Mr. Gandy, the House went in Committee of the Whole for the purpose of taking up unfinished business. Mr. McBride was called to the chair.

The Committee of the Whole arose and reported as follows:

The Speaker pro tem, Mr. Gandy, occupied the chair.

Mr. Speaker:

The Committee of the Whole recommend that House Bill No. 353 do pass as amended.

A. McBRIDE,
Chairman.

The report was adopted.

On motion by Mr. Ross, to suspend the rules and consider House Bill No. 353 read the third time and placed on final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Hogg, Jester, Levy, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Ingmire, Logan, Maxwell and Robinson, 4; absent, Bryan and Gayman, 2.

The Speaker pro tem declared the rules suspended.

Message from the Council:

Mr. Speaker:

I have the honor to inform you that the Council has named as its members of the Conference Committee to consider Council Bill No. 19, Mr. Murphy, Mr. Alexander and Mr. Woodson.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bill No. 118 for the signature of Mr. Speaker.

J. P. JAYNE,
Chief Clerk.

The vote on final passage of House Bill No. 353 resulted: ayes: Ballinger, Becker, Bone, Bryan, Fuller, Gandy, Jester, Lydick, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 14; nays: Craig, Ferris, Hogg, Ingmire, Levy, Logan, Maxwell, McBride, Noffsinger and Robinson, 10; absent: Daniels and Gayman, 2.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

The Speaker pro tem directed House Bill No. 353 to be engrossed.

On motion, the House proceeded to third reading and final passage of House Bills.

On motion by Mr. Prouty, to suspend the rules and consider the House Bills read the third time and placed on their final passage the vote resulted: ayes: Ballinger, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Lydick, Prouty, Ross, Walker, Wood and Mr. Speaker, 14; nays: Becker, Hogg, Ingmire, Jester, Levy, Maxwell, McBride, Noffsinger, Robinson and Taylor, 10; absent, Gayman and Logan, 2.

The Speaker pro tem declared the rules suspended.

The vote on final passage of House Bill No. 316 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Walker, Wood, 20; nays: Mr. Speaker, 1; absent: Bone, Fuller, Ingmire, Levy and Taylor, 5.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 182 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Bone, Hogg, Ingmire and Ross, 4; absent: Fuller and Levy, 2.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 295 resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Noffsinger, Robinson and Mr. Speaker, 15;

nays: Becker, Daniels, Gandy, Gayman, Logan, Prouty, Ross, Taylor, and Walker, 9; absent: Logan and Wood, 2.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of House Bill No. 279 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; nays: Maxwell and Robinson, 2; absent: Bone and Ferris, 2.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 301 resulted: ayes: Ballinger, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, and Mr. Speaker, 18; nays: Becker, Daniels, Gandy, Ingmire, McBride, and Walker, 6; absent: Bone and Wood, 2.

The Speaker pro tem declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Ballinger, the House went into Committee of the Whole for the purpose of considering General Order. Mr. Maxwell was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report no bills on the Calendar.

W. A. MAXWELL,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Council Bills Nos. 160 and 84, and House Bills Nos. 48 and 242, which have passed the Council as amended.

J. P. JAYNE,
Chief Clerk.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee of the House having had under consideration the following bills: House Bills Nos. 87, 285, 228, 234, 115, 338, 351, 320 and 63, and Council Bill No. 103 and Substitute for House Bill No. 193, recommend that they do pass.

DYKE BALLINGER,

Chairman.

The report was adopted.

Mr. Ferris moved that House Bills Nos. 156 and 345 be ordered out of the hands of the Sifting Committee and considered on the Calendar.

The roll call vote was demanded, which resulted: ayes: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Robinson and Taylor, 12; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, Prouty, Ross, Taylor, Walker, Woods and Mr. Speaker, 12; absent: Logan and Noffsinger, 2.

The Speaker declared the motion lost.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 353 correctly engrossed.

B. B. BONE,

Chairman.

The report was adopted.

Mr. Levy moved that the House request the Sifting Committee to report out House Bills Nos. 156 and 345.

The motion was ordered to lie.

On motion by Mr. Walker, the House resolved itself into Committee of the Whole for the purpose of considering bills on the Calendar. Mr. Maxwell was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report that House Bill No. 87 be stricken from the Calendar, House Bills Nos. 285, 193, 228, 338 and 351 do pass; House Bills Nos. 234, 320, 63 pass over for the present; and Council Bills Nos. 115 and 103 pass over.

W. A. MAXWELL,
Chairman.

The report was adopted.

Council Bills Nos. 84 and 160 were read the first time.

On motion by Mr. Gandy that the rules be suspended and Council Bills Nos. 84 and 160 be read the second time and referred to the Sifting Committee, the vote resulted: ayes: Ballinger, Bone, Daniels, Gandy, Gayman, Ingmire, Logan, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 14; nays: Levy, 1; absent: Becker, Bryan, Craig, Ferris, Fuller, Hogg, Jester, Lydick, Maxwell, McBride, and Robinson, 11.

The Speaker declared the rules suspended and Council Bills Nos. 84 and 160 were read the second time.

The Speaker directed that House Bill No. 242 be enrolled.

On motion by Mr. Ballinger, the House voted to concur in Council amendments to House Bill No. 48 and the Speaker directed that House Bill No. 48 be enrolled.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, Council Bills Nos. 132 and 175, and Committee Substitute for House Bill No. 92, and Council Bill No. 168, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. Daniels, that the vote whereby the passage of House Bill No. 353 was permitted, be reconsidered, the vote resulted: ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ing-

mire, Logan, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, and Mr. Speaker, 16; absent, Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Lydick, Maxwell and Robinson, 10.

Mr. Daniels moved that Section 21 be amended by striking out the figures following the name of B. Mahorney, R. B. Dockerty and T. Phillips, and inserting after each name in lieu of the figures stricken out, the figures \$240.

Mr. Prouty moved to amend the motion by adding the names of Wm. Flenoid, Robert Claypool and Sam Andrews to the list, after whose names should appear the amount \$240, in lieu of the amount following their names,

Mr. Taylor moved to amend the amendment by adding the names of Willis Jones and W. A. Howard, after whose names should appear the amount \$240, in lieu of the amount stated in the bill.

The amendments and motion were carried.

Mr. Ballinger moved that when the House do adjourn they adjourn until 7:30 P. M.

On motion of Mr. Prouty the House adjourned.

EVENING SESSION.

The House reconvened pursuant to adjournment with the Speaker in the chair.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that House Bills Nos. 315, 321, 322, 324, 325, 323, 326, 312, 245, 115, 289, 308, 155, 336, 243 and 273 do pass; and Council Bills Nos. 152, 89, 87, 88, 63, 45, 81, 101, 40, 51, 50, 52, 110 and 71 be placed on third reading and final passage.

DYKE BALLINGER,

Chairman.

The report was adopted.

Mr. Noffsinger introduced House Resolution No. 15, which was read the first time.

Mr. Levy moved that the House concur in the Council amendment to House Bill No. 56. The motion carried and the Speaker declared the amendment by the Council to House Bill No. 56 concurred in.

Council Bill No. 63 was placed on third reading and final passage. The vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Fuller, Gandy, Jester, Levy, McBride, Noffsinger, Ross, Taylor, Walker and Mr. Speaker, 17; nays: Ingmire, Maxwell and Wood, 3; absent, Ferris, Gayman, Hogg, Logan, Maxwell and Robinson, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion of Mr. Lydick the House adjourned.

JESSE B. NORTON,
Speaker.

FIFTY-NINTH DAY

Guthrie, Oklahoma Territory,

Thursday, March 9, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the chair.

Prayer by the Chaplain.

The roll call showed all members present.

Council Bills Nos. 175 and 132 were read the first time.

On motion by Mr. Ballinger, to suspend the rules and consider Council Bills Nos. 175 and 132 read the second time and placed on their third reading and final passage, the vote resulted: ayes: Ballinger, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Becker, Bone and Jester, 3.

Mr. Ballinger moved that the report of the Sifting Committee, that Council Bills Nos. 175 and 132 do pass, be adopted. The motion carried.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that all bills on third reading be taken up by the House and House Bill No. 351 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 92 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed Substitute for Council Bill No. 92 and directed that the same be transmitted to the Council for Mr. President's signature.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 218, 343, 126 and 129 correctly enrolled and 228, 338 and 285 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed House Bills Nos. 218, 343, 126 and 129 and directed that the same be transmitted to the Council for the signature of Mr. President.

Council Bill No. 45 was read the third time.

On motion by Mr. Lydick, Council Bill No. 45 was re-committed to the Committee of the Whole.

On motion by Mr. Ballinger, the House resolved itself into Committee of the Whole for the purpose of considering Council Bill No. 45. Mr. Walker was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole, having had under consideration Council Bill No. 45, recommend that the same do pass as amended.

W. N. WALKER,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, Council Bill No. 176, Substitute Council Bill No. 171, and House Bills Nos. 239 and 139 which have passed the Council; Council Bills Nos. 46 and 75 for Mr. Speaker's signature, and House Bills Nos. 111, 47 and 23 which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The vote on the final passage of Council Bill No. 45 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Hogg, Ingmire, Jester, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; nays: Levy, 1; absent: Gandy and Gayman, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Bone, that the House concur in the Council's amendments to House Bill No. 239, the vote resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Gayman, Ingmire, Jester, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Ferris, Fuller, Hogg, Levy, Logan, Lydick, Robinson, 7; absent: Bryan and Gandy, 2.

The Speaker declared the amendments to House Bill No. 239 concurred in.

On motion by Mr. Maxwell, Council Bill No. 81 was re-committed to Committee of the Whole.

On motion by Mr. Maxwell, the House resolved itself into Committee of the Whole for the purpose of considering Council Bill No. 81. Mr. Robinson was called to the chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole report progress and ask leave to sit again.

T. M. ROBINSON,
Chairman.

The report was adopted.

The vote on final passage of Council Bill No. 101 resulted: ayes: Ballinger, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Logan, Lydick, Maxwell, Noffsinger, Pouty, Robinson, Ross, Taylor, Walker Wood and Mr. Speaker, 20; nays: Becker, 1; absent: Bryan, Daniels, Ingmire, Levy and McBride, 5.

- The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, Council Bill No. 40 was re-committed to Committee of the Whole.

Substitute No. 176 for Council Bill No. 171 was read the first time.

The Speaker directed that House Bills Nos. 111, 47 and 23 be transmitted to the Governor for his approval.

The vote on Council Bill No. 51 on final passage resulted: ayes: Ballinger, Becker, Bryan, Craig, Ferris, Gayman, Jester, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 16; nays: Gandy, and Ingmire, 2; absent: Bone, Daniels, Fuller, Hogg, Levy, Logan, McBride and Prouty, 8.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 52 resulted: ayes: Ballinger, Becker, Bryan, Craig, Ferris, Gayman, Ingmire, Jester, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Gandy, 1; absent: Bone, Daniels, Fuller, Hogg, Levy, Logan, McBride and Prouty, 8.

The vote on final passage of Council Bill No. 50 resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Gandy, Gayman, Jester, Lydick, Maxwell, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; absent: Bryan, Daniels, Fuller, Hogg, Ingmire, Levy, Logan, McBride and Prouty, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, Council Joint Resolution No. 8 adopted by the Council.

J. P. JAYNE,
Chief Clerk.

The vote on the final passage of Council Bill No. 97 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; absent, McBride, 1.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Council Bill No. 110 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, Noffsinger, Prouty Robinson, Ross, Taylor, Walker and Mr. Speaker, 22; nays: Maxwell, 1; present and not voting, Wood, 1; absent: Jester and McBride, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.,

On motion by Mr. Bryan, to suspend the rules and consider Council Bill No. 71 read the third time, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Logan, Maxwell and McBride, 3.

The Speaker declared the rules suspended.

The vote on the final passage of Council Bill No. 71 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Logan, Maxwell and McBride, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Lydick, that the rules be suspended and House Bills on the Calendar be considered read the third time and placed upon their final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Maxwell, and McBride, 2.

The Speaker declared the rules suspended.

The vote on the final passage of House Bill No. 285 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Ingmire, Levy, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Logan, Maxwell and McBride, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Committee Substitute for House Bill No. 193 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: Maxwell and McBride, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of House Bill No. 228 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 23; nays: Wood, 1; absent, Maxwell and McBride, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of House Bill No. 338 resulted: ayes, Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross,

Taylor, Walker, Wood and Mr. Speaker, 20; nays: Bone, Hogg, Jester, and Levy, 4; absent, McBride and Maxwell, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of House Bill No. 351 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Jester, Ingmire, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 24; absent: McBride and Maxwell, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Ballinger, House Bill No. 234 was recommitted to Committee of the Whole.

The vote on the final passage of Council Bill No. 103 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent, Maxwell, McBride and Robinson, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Noffsinger withdrew House Resolution No. 15.

Council Joint Resolution No. 8 was read the first time.

On motion by Mr. Noffsinger, to suspend the rules and consider Council Joint Resolution No. 8 read the second time and placed on its third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 14; nays: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Logan, Lydick, 9; absent: Maxwell, McBride and Robinson, 3.

The Speaker declared the motion lost.

The Speaker signed Council Bills Nos. 75 and 46 and directed that the same be transmitted to the Council for the signature of Mr. President.

AFTERNOON SESSION.

The House reconvened pursuant to adjournment with the Speaker in the chair.

On motion by Mr. Wood, to suspend the rules and consider all Council Bills read the second time and placed on their third reading and final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Daniels, Ferris, Fuller, Gandy, Gayman, Ingmire, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; absent: Bryan, Craig, Hogg, Ingmire, and Lydick, 5.

The Speaker declared the rules suspended.

Substitute Bill No. 176 for 171 was considered read the second time and referred to the Sifting Committee.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that Substitute House Bill No. 180, Substitute House Bill No. 199, House Bill No. 319, Council Bill No. 112, Council Bill No. 120, and Council Bill No. 30 and House Bill No. 314 do pass.

DYKE BALLINGER,

Chairman.

The report was adopted.

On motion by Mr. Ballinger, the House went into Committee of the Whole for consideration of the bills reported out by the Sifting Committee. Mr. Gandy was called to the Chair.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 242, 214, 152, 239 and 161 correctly enrolled and House Bill No. 193 correctly engrossed.

B. B. BONE,

Chairman.

The report was adopted.

The Speaker signed House Bills Nos. 152, 242, 214, 239 and 161 and directed that the same be transmitted to the Council for the signature of Mr. President.

Mr. Lydick moved that when the House do adjourn, it adjourn until 7:30 P. M. The motion carried.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, House Bills Nos. 343, 218, 126, 129 and Substitute House Bill No. 92 which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that Substitute House Bill No. 234 do not pass, Substitute House Bill No. 180 do pass as amended, Council Bills Nos. 81 do pass as amended, 115 do pass, 40 do pass, House Bill No. 320 be passed over and retain its place on the Calendar, House Bill No. 63 be struck from the Calendar, Council Bill No. 152 be passed over on the Calendar, Council Bill No. 89 do pass, and House Bill No. 320 do pass

J. P. GANDY,
Chairman.

The report was adopted.

The Speaker directed that House Bills Nos. 343, 218, 126, 129 and Substitute House Bill No. 92 be transmitted to the Governor for his approval.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bill No. 293 which has passed the Council, under suspension of the rules; also the information that the Council has refused to concur in the House amendments to Council Bill No. 45, by a vote of 12 ayes and 1 absent.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, Substitute for House Bill No. 41, which has passed the Council as amended, and Committee Substitute for House Bill No. 219 and Council Bill No. 174, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

On motion, the House concurred in the Council amendments to Substitute House Bill No. 41 and the Speaker directed that the bill be enrolled.

Council Bill No. 174 was read the first time, and under the ruling adopted by suspending the rules, considered read the second time and referred to the Sifting Committee.

The Speaker directed that Committee Substitute for House Bill No. 219 be enrolled.

Mr. Maxwell moved that the House insist on its amendments to Council Bill No. 45 and ask for a conference committee.

The motion carried and the Speaker appointed as such committee on the part of the House, Mr. Maxwell, Mr. Gandy and Mr. Taylor.

On motion by Mr. Fuller, the House voted to concur in the Council's amendments to House Bill No. 293.

Mr. Lydick moved to suspend the rules and that all House Bills ready for third reading be considered read the third time and placed on their final passage. The vote on roll call resulted: ayes: Ballinger, Becker, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker and Mr. Speaker, 20; absent: Bone, Bryan, McBride, Noffsinger, Robinson and Wood, 6.

The Speaker declared the rules suspended.

The vote on the final passage of House Bill No. 320 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty,

Ross, Taylor, Walker and Mr. Speaker, 21; absent: Bryan, McBride, Noffsinger, Robinson and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Council Bill No. 81 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker and Mr. Speaker, 21; absent: Bryan, Noffsinger, McBride, Robinson and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Council Bill No. 40 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Prouty, Ross and Taylor, 16; nays: Ingmire, Maxwell, Walker and Mr. Speaker, 4; absent: Bryan, Fuller, McBride, Noffsinger, Robinson and Wood, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Council Bill No. 115 resulted: ayes: Ballinger, Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; absent: Bryan, Fuller, McBride, Noffsinger and Robinson, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on the final passage of Council Bill No. 81 resulted: ayes: Ballinger, Becker, Craig, Ferris, Fuller, Gayman, Logan, Lydick, Maxwell, Prouty, Ross, Taylor, Walker and Mr. Speaker, 14; nays: Bone, Daniels, Gandy, Hogg, Ingmire, Jester and Levy, 7; absent: Bryan, McBride, Noffsinger, Robinson and Wood, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion the House adjourned.

EVENING SESSION.

The House re-convened pursuant to adjournment with the Speaker in the Chair.

Mr. Fuller moved to reconsider the vote whereby House Bill No. 295 was allowed to pass. The motion carried.

Message from the Council:

Mr. Speaker:

I herewith transmit through you to the House, House Bills Nos. 152, 214, 239, 161 and 242, signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

Mr. Becker moved that House Bill No. 295 be recalled from the Council. The vote on roll call resulted: ayes: Becker, Bryan, Craig, Daniels, Fuller, Gandy, Gayman, Ingmire, Lydick, Noffsinger, Prouty, Robinson, Ross and Mr. Speaker, 14; nays: Ballinger, Bone, Ferris, Hogg, Jester, Levy, Logan, Maxwell, Taylor, Walker and Wood, 11; absent: McBride, 1.

Message from the Council:

Mr. Speaker:

I herewith transmit House Bills Nos. 251, 166, 347, 331, 333, 340, 267, 206, 207, 291, 39 and 75, which have passed the Council, and House Bills Nos. 152, 214, 239, 161 and 242, which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 251, 166, 347, 331, 335, 340, 267, 207, 291, 39 and 75 be enrolled and House Bills Nos. 152, 214, 239, 161 and 242 be transmitted to the Governor for his signature.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House

Bills Nos. 56, 49 and 139 correctly enrolled and House Bill No. 180 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Ballinger moved that the House concur in the Council amendments to House Bill No. 166. The motion carried and the Speaker declared the Council amendments concurred in.

The Sifting Committee made the following report:

Mr. Speaker:

The Sifting Committee recommend that House Bills Nos. 337 and 227, and Council Bills Nos. 132, 154, 345 and 139 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted except as to House Bill No. 345.

The aye and nay vote on the adoption of the report of the Sifting Committee, as to House Bill No. 345, resulted: ayes: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Logan, Lydick, Maxwell and Robinson, 11; nays: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Walker, Wood and Mr. Speaker, 14; absent: Taylor, 1.

The Speaker declared the adoption of the report of the Sifting Committee, as to House Bill No. 345, is refused.

On motion by Mr. Wood, the House adjourned until 9 o'clock A. M., March 10, 1905.

JESSE B. NORTON,
Speaker.

SIXTIETH DAY

Guthrie, Oklahoma Territory,

Friday, March 10, 1905.

MORNING SESSION.

The House convened pursuant to adjournment with the Speaker in the Chair.

Prayer by the Chaplain.

The roll call showed all members present.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bill No. 320 is correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Council Joint Resolution No. 8 was read.

Mr. Logan moved to amend the Resolution by inserting the name of Theodore Roosevelt to precede the name of Joseph Cannon. The motion prevailed. The vote on the adoption of the Council Joint Resolution No. 8 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 25; nays: Lydick, 1.

The Speaker declared the Resolution adopted as amended.

The Speaker directed House Bills Nos. 39 and 267 enrolled.

The Speaker signed House Bills Nos. 139, 49 and 56 and directed

that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Becker, to recommit House Bill No. 295 to the Committee of the Whole, the roll call was demanded by Mr. Ballinger. The vote resulted: ayes: Becker, Bryan, Craig, Daniels, Gandy, Gayman, Ingmire, McBride, Ross and Walker, 10; nays: Ballinger, Bone, Ferris, Fuller, Hogg, Jester, Levy, Logan, Maxwell, Prouty, Robinson, Taylor, Wood and Mr. Speaker, 14; absent: Lydick and Noffsinger, 2.

Message from the Council:

Mr. Speaker:

I herewith transmit Council Bills Nos. 50, 101, 110, 63, 51, 11, 103, 97, 52 for the signature of Mr. Speaker.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bills Nos. 50, 101, 110, 63, 51, 11, 103, 97 and 52 and directed that the same be transmitted to the Council for the signature of Mr. President.

Mr. Lydick moved that House Bill No. 295 do pass. The vote on final passage resulted: ayes: Ballinger, Bone, Ferris, Fuller, Hogg, Jester, Levy, Logan, Maxwell, Prouty, Robinson, Taylor, Walker and Wood, 14; nays: Becker, Bryan, Craig, Daniels, Gandy, Gayman, Ingmire, McBride, Ross and Mr. Speaker, 10; absent: Lydick and Noffsinger, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Daniels, the House resolved itself into the Committee of the Whole for the purpose of considering House Bills on the Calendar. Mr. Fuller was called to the Chair.

The Committee of the Whole arose and reported as follows:

Mr. Speaker:

The Committee of the Whole recommend that House Bills Nos. 321 and 322 do not pass; House Bills Nos. 323, 326, 308 do pass; 315

do pass as amended and 324 do not pass, 336 do pass, 312 do pass as amended, 289 do pass, and 243 be stricken from the Calendar.

R. R. FULLER,
Chairman

The report was adopted.

On motion by Mr. Wood, to suspend the rules and consider the bills passed by the Committee of the Whole read the third time and placed on their final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Noffsinger, 1; absent: Daniels, Hogg, Jester, Maxwell, McBride, 4.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 323 resulted: ayes: Ballinger, Becker, Bone, Bryan, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent: Craig, Daniels, Jester and Maxwell, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 340, 166, 347, 251, 207, 75, 48, 331, 41, 335 correctly enrolled, and House Bill No. 351 correctly engrossed.

B. B. BONE,
Chairman.

The vote on final passage of House Bill No. 326 resulted: ayes: Bryan, Fuller, Walker, Wood, 4; nays: Ballinger, Becker, Bone, Ferris, Gandy, Gayman, Ingmire, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor and Mr. Speaker, 17; absent: Craig, Daniels, Hogg, Jester, Levy, 5.

The Speaker declared the passage of the bill refused.

The vote on final passage of House Bill No. 315 resulted: ayes:

Ballinger, Becker, Bone, Bryan, Ferris, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; nays: Maxwell, 1; absent: Craig, Daniels, Fuller, Hogg, Jester, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 308 resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Levy, Logan, Maxwell, McBride, Noffsinger, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays: Bryan, Jester, Lydick, Prouty, Robinson, 5; absent: Daniels and Hogg, 2.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 336 resulted: ayes: Ballinger, Becker, Bone, Ferris, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, Mr. Speaker, 19; nays: Bryan, Jester, Robinson, 3; absent: Craig, Daniels, Fuller and Hogg, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 312 resulted: ayes: Ballinger, Becker, Bone, Bryan, Ferris, Gayman, Jester, Logan, Lydick, Prouty, Robinson, Taylor and Wood, 13; nays: Gandy, Ingmire, Levy, Maxwell, McBride, Noffsinger, Ross, Walker and Mr. Speaker, 9; absent: Craig, Daniels, Fuller, Hogg, 4.

The Speaker declared the bill refused.

Mr. Prouty moved that the vote whereby House Bill No. 312 was refused be reconsidered.

On motion by Mr. Lydick, to lay Mr. Prouty's motion on the table, the vote on roll call resulted: ayes: Ballinger, Becker, Bryan, Craig, Ferris, Gayman, Ingmire, Jester, Logan, Lydick, Prouty, Robinson, Ross, Taylor, Wood, 15; nays: Bone, Fuller, Gandy, Levy, Maxwell, McBride, Noffsinger, Walker, Mr. Speaker, 9; absent: Daniels and Hogg, 2.

The motion carried.

The Speaker signed House Bills Nos. 251, 166, 207, 48, 41, 347, 335, 75, 331, 340 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion the House adjourned.

AFTERNOON SESSION.

The House re-convened pursuant to adjournment with the Speaker in the Chair.

Mr. Lydick for the minority members of the House introduced the following resolution:

Mr. Speaker:

The minority members of the House of Representatives have resolved to extend their thanks to the honorable Speaker for the courteous treatment he has extended them during this session, and to assure him that as the final order of adjournment is taken, there goes with him to his home, the good will of the Democrat minority.

J. D. LYDICK,

Chairman.

R. R. FULLER,

J. T. CRAIG,

I. B. LEVY,

DAVID HOGG,

SCOTT FERRIS,

J. J. JESTER,

O. J. LOGAN,

T. M. ROBINSON,

WM. A. MAXWELL,

MILTON BRYAN,

Minority Committee.

Mr. Lydick moved, on behalf of the minority members of the Eighth Legislative Assembly, that the resolution be incorporated in the minutes, and put the motion to the House. The motion prevailed and it was so ordered.

Mr. Bryan offered House Concurrent Resolution No. 5 as follows:

WHEREAS, The Democratic members of the House of the Eighth Legislative Assembly of the Territory of Oklahoma have had full and ample opportunity to present their views and reasons for this position upon the Act providing for a constitutional convention for the Territory of Oklahoma and the Indian Territory; and

WHEREAS, The Republican members of said House have not advised the residents of said Territories of their reasons for opposing the passage of said Act or any action on the part of the people of said Territories looking to the procurement of statehood; and

WHEREAS, The said Democratic members of said Legislature are disposed to grant to their political opponents fair and just consideration for the acts of the said Republican members:

BE IT RESOLVED, That the Clerk now be directed to read the provisions of the last Republican National Platform upon the question of statehood for Oklahoma and Indian Territory and that said provisions be printed in the record as setting forth the position and contention of the Republican party upon the question of statehood for Oklahoma and Indian Territory as well as the position of the members of this body in relation to said subject.

Mr. Ferris moved the adoption of the resolution.

Mr. Prouty moved that the House Concurrent Resolution No. 5 be laid on the table.

Mr. Levy moved that the rules be suspended and that House Concurrent Resolution No. 5 be read the second time and placed on its final passage. The motion lost.

The vote on Mr. Prouty's motion resulted: ayes: Ballinger, Becker, Bone, Daniels, Gandy, Gayman, Ingmire, McBride, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 15; nays: Bryan, Craig, Ferris, Fuller, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Robinson, 11.

The Speaker declared the motion carried.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bill No. 353 which has passed the Council as amended, House Bills Nos. 256 and 281 which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 256 and 281 be enrolled.

On motion by Mr. Fuller, to suspend the rules, consider House Bill No. 155 reported favorably from the Committee of the Whole, considered read the third time and placed on its final passage, the vote resulted: ayes: Ballinger, Becker, Bryan, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Lydick, Noffsinger, Maxwell, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker, 21; nays: Gandy and McBride, 2; absent: Bone, Daniels and Ingmire, 3.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 155 resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Ferris, Fuller, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, McBride, Noffsinger, Prouty, Robinson, Taylor, Walker, Wood and Mr. Speaker, 21; nays: Ross, 1; absent: Daniels, Hogg, Logan and Maxwell, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that Council Bills Nos. 91 and 154 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

On motion by Mr. Fuller, to suspend the rules and consider Council Bills Nos. 91 and 154 reported favorably by the Committee of the Whole and placed on their third reading and final passage, the vote

resulted: ayes: Ballinger, Becker, Bone, Craig, Ferris, Fuller, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, McBride, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 20; absent: Bryan, Daniels, Gandy, Ingmire, Logan and Noffsinger, 6.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 91 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Fuller, Gayman, Hogg, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Taylor, Walker and Mr. Speaker, 18; nays: Gandy, Jester, Robinson, Ross and Wood, 5; absent: Bone, Daniels and Ingmire, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 154 resulted: ayes: Ballinger, Bone, Bryan, Craig, Daniels, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 23; absent: Becker, Ferris and Fuller, 3.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bills Nos. 56, 49, 139, which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 56, 49 and 139 be transmitted to the Governor for his approval.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 206 correctly enrolled.

The report was adopted.

B. B. BONE,
Chairman.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that House Bills Nos. 262 and 174 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

Message from the Council:

Mr. Speaker:

The Council refused to recede from its amendments to House Bill No. 353 and asked for a Conference Committee, and named as such members on the part of the Council, Mr. Hickam, Mr. Threadgill and Mr. Woodson.

J. P. JAYNE,
Chief Clerk.

Mr. Walker moved that the Speaker be instructed to appoint a Conference Committee on the part of the House. The motion carried and the Speaker appointed Mr. Becker, Mr. McBride and Mr. Fuller.

On motion by Mr. Ferris, to suspend the rules and place House Bill No. 262 on its final passage and consider Council Bill No. 174 considered favorably in the Committee of the Whole, read the third time and placed on its final passage, the vote resulted: ayes: Ballinger, Becker, Bone, Bryan, Craig, Daniels, Ferris, Gayman, Hogg, Ingmire, Levy, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; absent: Fuller, Jester, Logan, Lydick, Maxwell, McBride, 6; present and not voting: Gandy, 1.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 262 resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gayman, Hogg, Jester, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays: Daniels, Gandy, Ingmire, 3; absent: Ballinger, Fuller, Logan and McBride, 4.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 174 resulted: ayes:

Gayman, Ingmire, Noffsinger, Walker, 4; nays: Ballinger, Bone, Craig, Daniels, Ferris, Gandy, Jester, Levy, Lydick, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker, 15; absent: Becker, Bryan, Fuller, Gayman, Hogg, Maxwell and McBride, 7.

The Speaker declared the passage of the bill refused.

Message from the Council:

Mr. Speaker:

I have the honor to transmit to the House through you, Council Bill No. 156 and House Bills Nos. 259, 224, 332, 110, 306 and 257, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker signed House Bill No. 206 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Prouty, to suspend the rules, consider Council Bill No. 132 reported favorably out of the Committee of the Whole and placed on its third reading and final passage, the vote resulted: ayes: Ballinger, Bone, Craig, Ferris, Gayman, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 14; nays: Daniels, Gandy, Ingmire, Jester and Levy, 5; absent: Becker, Bryan, Fuller, Hogg, Logan, Lydick and McBride, 7.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 132 resulted: ayes: Ballinger, Bryan, Craig, Gayman, Hogg, Ingmire, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Wood and Mr. Speaker, 14; nays: Walker, 1; absent: Becker, Bone, Daniels, Ferris, Fuller, Gandy, Jester, Levy, Logan, Lydick, McBride, 11.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that Council Bills Nos. 129 and 131 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

Council Bill No. 156 was read the first time and under suspension of the rules was referred to the Sifting Committee.

On motion by Mr. Robinson, to suspend the rules and consider Council Bills Nos. 129 and 131 read the third time, the vote resulted: ayes: Ballinger, Bryan, Craig, Gayman, Ingmire, Jester, Levy, Logan, Maxwell, Noffsinger, Robinson, Ross, Taylor, Walker and Mr. Speaker, 15; absent: Becker, Bone, Daniels, Ferris, Fuller, Gandy, Hogg, Ingmire, Jester, Logan, Lydick, McBride, Prouty and Wood, 11.

The Speaker declared the rules suspended.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 267, 39, 293 and 219 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The vote on final passage of Council Bill No. 129 resulted: ayes: Ballinger, Bone, Bryan, Craig, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 18; absent: Becker, Daniels, Ferris, Fuller, Hogg, McBride, Noffsinger and Wood, 8.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 131 resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker and Mr. Speaker, 19; absent: Becker, Daniels, Fuller, Hogg, McBride, Noffsinger and Wood, 7.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Speaker signed House Bills Nos. 39, 267, 219 and 293 and directed that the same be transmitted to the Council for the signature of Mr. President.

The Speaker directed that House Bills Nos. 257, 306, 110, 332 and 259 be enrolled.

Mr. Lydick moved that the rules be suspended and Council Committee Substitute for House Bill No. 71 and Council Bill No. 5, Council Bill No. 120 and Council Bill No. 112 be considered read the third time and placed on their final passage, the vote resulted: ayes: Ballinger, Bryan, Craig, Ferris, Gayman, Hogg, Jester, Levy, Logan, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 16; nays: Daniels and Ingmire, 2; absent: Becker, Bone, Fuller, Lydick, Maxwell, McBride, Ingmire and Logan, 8.

The Speaker declared the rules suspended.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bills Nos. 229 and No. 203 which have been amended and passed the Council.

J. P. JAYNE,
Chief Clerk.

The vote on the final passage of Council Committee Substitute for House Bill No. 71 and Council Bill No. 5 resulted: ayes: Ballinger, Becker, Bryan, Craig, Daniels, Ferris, Gayman, Hogg, Jester, Levy, Lydick, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Gandy and Maxwell, 2; absent: Bone, Fuller, Ingmire, Logan, McBride, Noffsinger and Robinson, 7.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside Council Bill No. 102, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Council Bill No. 102 was read the first time, considered read the second time under suspension of the rules and referred to the Sifting Committee.

The vote on final passage of Council Bill No. 120 resulted: ayes: Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Jester, Levy, Logan, Lydick, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; absent: Ballinger, Becker, Bone, Fuller, Ingmire, Lydick and McBride, 7.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 112 resulted: ayes: Bryan, Craig, Daniels, Ferris, Gayman, Hogg, Jester, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 19; nays: Gayman, 1; absent: Ballinger, Becker, Bone, Fuller, Ingmire, McBride, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Wood, Council Bill No. 139 was recommitted to the Committee of the Whole.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bills Nos. 202, 293, 219, 267, 39, 251, 166, 207, 48, 41, 347, 335, 75, 331 and 340, which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 202, 293, 219, 267, 39, 251, 166, 207, 48, 347, 335, 75, 331 and 340 be transmitted to the Governor for his approval.

The vote on final passage of Council Bill No. 139 resulted: ayes: Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, Noffsinger, Prouty, Ross, Taylor, Walker, Wood and Mr. Speaker, 17; nays: Levy, 1; absent: Ballinger, Becker, Bone, Bryan, Fuller, Lydick, McBride and Robinson, 8.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 314 resulted: ayes: Ballinger, Craig, Daniels, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Ross, Wood and Mr. Speaker, 15; nays: Bone, Gandy, Noffsinger, Taylor, Walker, 5; absent: Becker, Bryan, Ferris, Fuller, McBride and Robinson, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of House Bill No. 342 resulted: ayes: Daniels, Gayman, Ingmire, Noffsinger, Prouty, Taylor, Walker, Wood and Mr. Speaker, 9; nays: Gandy, Jester, Levy, Logan, Lydick, Maxwell, 6; absent: Ballinger, Becker, Bone, Bryan, Craig, Fuller, Hogg, Ingmire, McBride, Robinson, Ross, 11.

The Speaker declared the passage of the bill refused.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside, House Bill No. 57, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 57 and No. 229 be enrolled.

On motion by Mr. Ross, the House concurred in the Council's amendments to House Bill No. 203 and the Speaker directed that House Bill No. 203 be enrolled.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the honorable body over which you preside House Bill No. 43, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bill No. 43 be enrolled.

On motion by Mr. Noffsinger, to suspend the rules and consider

Council Bill No. 152 recommended do pass by the Committee of the Whole and read the third time, the vote resulted: ayes: Ballinger, Ferris, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 18; absent: Becker, Bone, Bryan, Craig, Fuller, Hogg, Lydick and McBride, 8.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 152 resulted: ayes: Ballinger, Bone, Daniels, Ferris, Gandy, Gayman, Ingmire, Logan, Noffsinger, Prouty, Ross, Taylor, Walker, Wood, 14; nays: Jester, Levy, Maxwell, Robinson and Mr. Speaker, 5; absent: Becker, Bryan, Craig, Fuller, Hogg, Lydick and McBride, 7.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

On motion by Mr. Ross, to suspend the rules and consider House Bill No. 337 read the third time and placed on its final passage, the vote resulted: ayes: Ballinger, Bone, Daniels, Gandy, Gayman, Ingmire, Jester, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 18; absent: Becker, Bryan, Craig, Ferris, Fuller, Hogg, Lydick and McBride, 8.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 337 resulted: ayes: Ballinger, Bone, Craig, Daniels, Gandy, Gayman, Ingmire, Jester, Levy, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 18; absent: Becker, Bryan, Ferris, Fuller, Hogg, Logan, Lydick and McBride, 8.

On motion by Mr. Ballinger that the rules be suspended, House Bill No. 271 be considered, reported do pass by the Committee of the Whole, read the third time and placed on its final passage, the vote resulted: ayes: Ballinger, Bone, Ferris, Ingmire, Lydick, Noffsinger, Prouty, Robinson, Taylor, 9; nays: Bryan, Craig, Daniels, Gandy, Gayman, Hogg, Jester, Levy, Maxwell, Robinson, Wood and Mr. Speaker, 12; absent: Becker, Fuller, Logan, McBride and Walker, 5.

The Speaker declared the suspension of the rules refused.

Mr. Noffsinger moved that the rules be suspended and Council Bills Nos. 88, 87, 102, 38 and 176 be placed on third reading and final passage. The vote resulted: ayes: Bone, Bryan, Daniels, Ferris, Gayman, Levy, Logan, Lydick, Noffsinger, Robinson, Taylor and Mr. Speaker, 12; nays: Ballinger, Craig, Gandy, Ingmire, Maxwell, Ross, Walker and Wood, 8; absent: Becker, Fuller, Hogg, Jester, McBride and Prouty, 6.

The Speaker declared the suspension of the rules refused.

Message from the Council:

Mr. Speaker:

I have the honor to transmit herewith House Bill No. 65, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bill No. 65 be enrolled.

Mr. Ballinger moved that the rules be suspended and House Bills Nos. 88, 87, 175 and 38 be placed on their final passage. The vote resulted: ayes: Ballinger, Bone, Bryan, Craig, Ferris, Gandy, Gayman, Ingmire, Jester, Ross, Taylor, Walker, Wood and Mr. Speaker, 14; nays: Daniels, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, 7; absent: Becker, Fuller, Hogg, Lydick, McBride, 5.

The Speaker declared the rules suspended.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bill No. 171, which has passed the Council.

J. P. JAYNE,
Chief Clerk.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, the information that the Council has reconsidered the vote whereby the passage of House Bill No. 241 was refused, and ask that the bill be returned for final passage.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 308 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Bryan moved that the House return to the Council, House Bill No. 241 as requested. The motion carried and it was so ordered.

Mr. Gandy moved that when the House do adjourn, it adjourn until 7:30 P. M.

The motion carried.

Mr. Bryan moved that the House concur in the Council's amendments to House Bill No. 171. The motion carried.

The Speaker declared the Council's amendments to House Bill No. 171 concurred in and directed that the bill be enrolled.

The vote on final passage of Council Bill No. 38 resulted: ayes: Bryan, Craig, Daniels, Gandy, Gayman, Hogg, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker. 15; nays: Ballinger and Bone, 2; absent: Becker, Ferris, Fuller, Ingmire, Jester, Levy, Logan, McBride, Noffsinger, 9.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bills Nos. 89, 115 and 81 for Mr. Speaker's signature, and House Bills Nos. 238 and 338, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 338 and 238 be enrolled.

The Speaker signed Council Bills Nos. 89, 81 and 115 and direct-

ed that the same be transmitted to the Council for the signature of 'Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bill No. 121 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 323, 312, 155, 262 and 336 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

Council Bill No. 121 was read the first time, under suspension of the rules, considered read the second time and referred to the Sifting Committee.

The vote on final passage of Council Bill No. 88 resulted: ayes: Ballinger, Bone, Craig, Daniels, Ferris, Fuller, Gandy, Gayman, Hogg, Ingmire, Levy, Maxwell, Prouty, Robinson, Ross, Walker, Wood and Mr. Speaker, 18; absent: Becker, Bryan, Jester, Logan, Lydick, McBride, Noffsinger and Taylor, 8.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The vote on final passage of Council Bill No. 87 resulted: ayes: Ballinger, Craig, Ferris, Gayman, Hogg, Logan, Lydick, Prouty, Robinson, Ross, Taylor, Walker, 12; nays: Bone, Gandy, Maxwell and Mr. Speaker, 4; absent: Becker, Bryan, Daniels, Fuller, Ingmrie, Jester, Levy, McBride, Noffsinger and Wood, 10.

The Speaker declared the passage of the bill refused.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House enrolled copies of Council Bills Nos. 154 and 40, which have passed the Council, and House Bill No. 295 which has been defeated, ayes, 4; nays, 7; absent, 2.

J. P. JAYNE,
Chief Clerk.

The Speaker signed Council Bills Nos. 40 and 154 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion the House adjourned.

EVENING SESSION.

The House reconvened pursuant to adjournment with the Speaker in the Chair.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bills Nos. 308, 280 and 291 as amended, and Council Concurrent Resilution No. 6, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

Mr. Bryan moved that the House concur in the Council's proposals of amendment to House Bill No. 291.

The motion carried and the Speaker declared the Council's proposals of amendment to House Bill No. 291 concurred in.

The Speaker directed that House Bills Nos. 308, 280 and 291 be enrolled.

The Conference Committee on House Bill No. 353 reported as follows:

REPORT OF CONFERENCE COMMITTEE.

Mr. Speaker: We, your Conference Committee, having under consideration House Bill No. 353, being the general appropriation bill, beg leave to report:

We concur in Council amendment to Section 4, relative to Contingent Expenses of the Attorney General.

We concur in Council amendment to Section 5, relative to Clerk and Adding Machine for Territorial Treasurer.

We concur in Council amendment to Sections 7 and 8, relative to Adjutant General's office, by striking said section from the bill.

We also concur in Council amendment to Section 10, relative to Quarantine.

We non-concur in Council's amendments to Section 11, relative to Board of Health.

And we recommend that the Council recede from said amendments.

We concur in Council amendment to Section 12, relative to the Secretary of the Board of Agriculture.

We non-concur in Council amendment to Section 14, relative to Insans, and ask the Council to recede from such amendments.

We concur in Council amendments to Section 15, relative to Insane, and also to amendment to Section 16, relative to the A. & M. College.

We concur in the addition made by Council to Section 18, relative to Geologist; and non-concur in the substitution for Section 18.

We non-concur to amendments to Section 20, made by Council, relative to expenses and postage.

We recommend that all help receive \$4.00 per day and all assistant clerks \$5 to correspond with the wages fixed by the Council in their amendment to Section 21, of said bill.

We concur in Council amendments to Section 22, relative to help.

We concur in Council's amendments to Section 25, except the claims of Strang, Blaine County Sheriff, and the militia, which the House refuses to concur in, and we recommend that the Council recede from their amendments on these claims.

Section 30 being a Substitute Section inserted in said appropriation bill, the Joint Committee fails to concur or non-concur in said substitution.

Section 16 being stricken out by the Council we recommend that it be re-inserted and become a part of the bill.

Section 31 of said measure being an additon made by the Council we recommend that it be stricken from said bill.

We concur in amendments to Section 32, relative to expenses.

We also concur in Section 33, relative to surplus to these appropriations.

Section 34 being an amendment we, your Conference Committee, non-concur.

Respectfully submitted.

A. McBRIDE,
J. P. BECKER,
JOHN P. HICKAM,
B. N. WOODSON,
JOHN THREADGILL,
R. R. FULLER,

The report was accepted.

Mr. Becker moved that the Speaker appoint a second Conference Committee in regard to House Bill No. 353. The motion carried, and the Speaker appointed as members of such Committee on the part of the House, Mr. Ballinger, Mr. Murphy and Mr. Bryan.

Message from the Council.

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, enrolled copies of Council Bills Nos. 120 and 91, Council Committee Substitute for House Bill No. 5 and House Bills Nos. 71, 131, 132, 112, 129, 282 and 217, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. Levy to suspend the rules and consider Council Bill No. 102, reported do pass from the Committee of the Whole and

considered, read the third time and placed on its final passage the vote resulted: ayes: Becker, Bryan, Craig, Ferris, Gandy, Gayman, Ingmire, Jester, Levy, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor and Mr. Speaker, 18; nays, Ballinger, Bone, McBride, Walker and Wood, 5; absent: Daniels, Fuller and Hogg, 3.

The Speaker declared the rules suspended.

Message from the Council:

Mr. Speaker:

I have the honor to transnit through you to the House, over which you preside, House Bills Nos. 254 and 350, which have passed the Council.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 254 and 350 be enrolled.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 315, 260 and 314 correctly engrossed, and House Bills Nos. 281, 232 and 43 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The vote on final passage of Council Bill No. 102 resulted: ayes: Becker, Bryan, Daniels, Ferris, Gayman, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Taylor and Mr. Speaker, 13; nays: Ballinger, Bryan, Gandy, Craig, Ingmire, Jester, McBride, Ross, Walker and Wood, 10; absent: Fuller, Hogg and Lydick, 3.

The Speaker declared the passage of the bill refused.

The Second Conference Committee on House Bill No. 353 reported as follows:

Mr. Speaker:

Your Committee on Conference in relation to amendments to House Bill No. 353, report that Council recedes from the amendments

attaching the herd law bill to said appropriation bill and that the same be stricken from the appropriation bill. Also that Section No. be added to the bill making an appropriation of six hundred dollars (\$600.00) per annum for the year 1905 and 1906 for the Clerk of the Supreme Court for office expenses.

DYKE BALLINGER,
FRANK G. PROUTY,
MILTON BRYAN.

On motion by Mr. Walker the report of the Conference Committee was adopted by the following vote: ayes: Ballinger, Becker, Bone, Bryan, Fuller, Gayman, Ingmire, Jester, Levy, Noffsinger, Prouty, Ross, Taylor, Walker and Mr. Speaker, 15; nays: Daniles, Gandy, Maxwell, Robinson and Wood, 5; absent: Craig, Ferris, Hogg, Logan, Lydick and McBride, 6.

The Speaker declared the report adopted and directed that House Bill No. 353 be enrolled.

The vote on final passage of Council Substitute 176 for Council Bill No. 171 resulted: ayes: Becker, Bone, Bryan, Craig, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, McBride, Noffsinger, Robinson, Ross, Wood and Mr. Speaker, 18; nays: Taylor and Walker, 2; absent: Ballinger, Daniels, Ferris, Fuller, Lydick and Prouty, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Speaker signed Council Bills Nos. 112, 132, 91, 120, 131 and 129, Council Committee Substitute for House Bill No. 71 and Council Bill No. 5, House Bill No. 57, House Bill No. 332, House Bill No. 231 and House Bill No. 43 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Ross to suspend the rules, consider Council Bill No. 156 reported do pass from the Committee of the Whole, and placed on its third reading and final passage, the vote resulted: Ayes: Becker, Bone, Craig, Gandy, Gayman, Hogg, Ingmire, Jester, Logan, Maxwell, Robinson, Ross, Walker, Wood and Mr. Speaker, 15; nays:

Daniels, Levy, McBride and Taylor, 4; absent, Ballinger, Bryan, Ferris, Fuller, Lydick, Noffsinger, Prouty, 7.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 156 resulted: Ayes: Gandy, Gayman, Levy, Logan, Prouty, Ross, and Wood, 7; nays: Becker, Bone, Craig, Daniels, Ferris, Hogg, Ingmire, Jester, Maxwell, McBride, Robinson, Taylor, Walker and Mr. Speaker, 14; absent, Ballinger, Bryan, Fuller, Lydick and Noffsinger, 5.

The Speaker declared the passage of the bill refused.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, Council Bills Nos. 38, 88, and 162 for Mr. Speaker's signature.

J. P. JAYNE,
Chief Clerk.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report that House Bill No. 57 is correctly enrolled.

B. B. BONE,
Chairman...

The report was adopted.

The Special Committee to investigate the defunct Capitol National Bank reported as follows:

IN THE MATTER OF THE INVESTIGATION OF THE SUSPENDED CAPITOL NATIONAL BANK.

Testimony.

In conformity to Joint Resolution No. of the Eighth Legislative Assembly, the Committee appointed to investigate the condition of the suspended Capitol National Bank met in room 8, in the Capitol Building, this 8th day of March, 1905, at 4 o'clock P. M. and heard testimony as follows:

TESTIMONY OF GOVERNOR FERGUSON.

QUESTIONS BY MR. BRYAN.

Q. Please state to the Committee such facts as you deem it of interest for them to know.

A. Along what lines?

Q. I understand our purpose is to ascertain what knowledge you had of the condition of the bank and what position you were in to know as to its solvency and stability prior to its failure.

A. I have no information now as to cause of failure.

By Mr. Robinson. What we want to know is what knowledge the Governor had along that line and how long he possessed it before the failure.

A. When I began as Governor it was in December, 1901, the Capitol National Bank was the sole depository of the Territory, having been made so by one of my predecessors in office, and under contract as sole depository until I believe, the last of May, 1902. I am not positive whether it expired in April or May, but about that time. The funds of the Territory at that time, at the beginning of my services were all in that bank; a large amount of school land deposits, that refers to moneys paid on lands in the opening of the Kiowa and Comanche country in 1901 which had not been returned to the unsuccessful bidders. I do not remember the amount but presume between five and six hundred thousand dollars; making all for which the Territory was directly responsible over \$800,000.00—I never knew how much the school land office had in there. When the contract expired in the spring of 1902, I told Mr. Rambo, the Territorial Treasurer, that in my judgment it was too much money to have in any bank and that I thought the best policy would be to place the money in banks throughout the territory, or at least make other banks depositories. He said that there was one objection to placing the money over the Territory as it would increase the liability of failure, however, as soon as the contract as sole depository expired the Treasurer made contracts with four or five banks and divided the deposits.

Now as to the condition of the Capitol National Bank I knew nothing further than general report in business circles. It was the Federal Depository, and I had understood it was the depository for the court funds either the Supreme Court funds; possibly the District Court funds; at least it was a depository for a large number of banks throughout Oklahoma and was considered, as I understood it, one of the principal banks of the city as well as one of the strongest in the Territory. Now as to my knowledge as to the condition of the bank I had none except that which came from general opinion. I have no more knowledge of the condition of the bank than I have of the condition of the banks in which the Territorial moneys are now placed. I believe them all to be solvent and in good condition. I have no means of knowing now, whatever, outside of what appears to be general business statement relative to them in their statements of the Capitol National Bank before its failure indicated a good condition of things.

Q. Can you tell when the last statement was made?

A. I don't remember the date but not long before the failure. I talked with bankers in regard to that matter. I had talked with Mr. Guss and Mr. McNeal of this city. My conversation with them was not in the way of direct questions. I did not attempt to induce them to violate any business confidence in relation to a rival firm, but simply wanted to get their impression in regard to the stability of the Capitol National Bank. They both said that the bank was a Federal and Territorial depository and that they thought it was all right so far as financial responsibility was concerned. They both said, however, that Mr. Billingsley resorted to methods in securing deposits that were not approved by reputable bankers. They did not seem disposed to criticise the bank as an institution but did criticise Mr. Billingsley's methods of doing business. Since talking with these gentlemen, I have been impressed with the idea that they did not tell me all that they might have known at the time, as bankers, not infrequently, hesitate to express an opinion about another banking institution.

By Threadgill. Is it not a fact that even if the bank had been in an insolvent condition, you thought the Territory was protected by bonds?

A. It has been said that I must have known the condition of the bank because it was represented to me as in a failing condition. That is incorrect. Nobody ever in my memory told me that the bank was in a failing condition. The statements to that effect are incorrect. If I had believed that I certainly would have insisted on the money being withdrawn and would have taken my own out.

Q. By Mr. McBride. Did you ever have a conference with Mr. Flynn in regard to the solvency of the bank?

A. Yes, a short time before the bank closed but that had no effect one way or the other. Flynn said, you are going to break the Capitol National Bank. You are taking money out of it too rapidly. No bank in the country can stand it.

He said he had been in Washington and had talked with the Comptroller of the Currency with a view of investigating into the bank stock himself, and that it was absolutely, in his judgment, all right. This was only a few days before the failure of the bank and it did not effect in any way my opinion or action as I did not believe the bank in a good condition and we were getting the money out of it just as rapidly as we could. When the failure occurred at Holdenville I felt uneasy about the bank.

I told Mr. Rambo that Billingsley had evidently used the bank's money in loans that were not authorized by law.

By Robinson. Had you at any time heard rumors of the unsafe condition of the bank at the time Flynn came to see you?

A. I do not remember that I had, though I think, however, that such reports were going around in Guthrie and over the Territory, but it did not need that to make an impression on me, because after the failure at Holdenville, it plainly indicated to me that Mr. Billingsley had been making loans that were contrary to banking regulations.

By Bryan. Do you remember how many days before the bank failed Flynn talked to you?

A. I think it was the week before, but his statements made no impression on me.

By Bryan. Do you know what sum had been withdrawn before that time?

A. No, I do not know. That was a matter under the direct administration of the Treasurer; but it was a large sum of money from the first of January until its close.

Bryan. What was the date it closed?

A. The fourth of April, I believe.

Robinson. Had you heard anything about who were the large creditors?

A. I knew nothing about the matter other than the report in the papers after the failure of the Holdenville bank.

Robinson. I do not know whether the papers stated whether the loans were secured by the bank people after the failure of the bank.

Threadgill. Do you think we can collect the money from the bond companies?

A. That is a matter for the future. The money will be collected. I think we will win the suit against and get the judgment against the surety companies, and that the Federal Government will do as it has been doing, assist us in the matter and collect it. I do not see how the surety companies can avoid payment. In regard to surety, the deposits in the bank were protected by surety bonds, the kind recommended by the Department in Washington.

McBride. What is the present condition of the suit against the Capitol National Bank?

A. I do not know the legal status. The Attorney General has had the matter in charge and it is now in his hands.

Q. Have you any knowledge of the solvency of the American Fidelity and American Bonding Companies?

A. I have only in a general way. I understand that the Company is solvent and able to meet its obligations. It was authorized to do business in this Territory. I might be deceived in these corporations the same as in a bank, but I believe them to be solvent. The people

believed the Capitol National Bank to be solvent. To show the sentiment in regard to that institution, on the day of its failure or the day following the failure, one of the city papers, the Guthrie Daily Leader made this statement: "It was supposed to be as firm as the Rock of Gibraltar."

The people on the inside may have known about it. We did not.

Robinson. Can you tell us about the assets of the bank?

A. No, that is something I know nothing of. That is the most vital thing to find out what they have done about it.

Robinson. Did you have any communication with the Comptroller as to why he refused us the bank?

A. No sir, I have not.

RAMBO'S TESTIMONY IN ABOVE CASE.

Mr. McBride. I have here a statement given me by Mr. Rambo, at various dates showing the amount of deposits at different times in the Capitol National Bank, made at periods of intervals of fifteen days.

Mr. Bryan. Give the committee a statement of the sum of the Territorial funds that you had in the Capitol National Bank at the time referred to by the Governor when he began to withdraw the Territorial funds from the bank.

Rambo. Well, I remember that we drew out in the last sixty-three days prior to the closing of the bank \$150,000.00 more than had been deposited, that is we reduced the deposit in sixty-three days about \$150,000.00.

Bryan. What was done with the money?

Rambo. It was paid out on warrants.

Bryan. What sums, if any, were withdrawn from this bank and deposited in other banks?

Rambo. Not any. Just paid the warrants. All checks were drawn to pay warrants. We never transferred one dollar.

Woods. What was the amount withdrawn in 1902 when the contract expired?

Rambo. That statement shows.

Bryan. What was your increase from?

Rambo. In a general way a good deal in the school land department and increase in taxes.

Bryan. The amount in your hands would fluctuate?

Rambo. From November to March 1 is the heavy increase, caused by the leasing of school land because all notes become due at the first of the year and as soon as they pay their notes it increases very fast then. In January, February and March the taxes come in.

Bryan. How often would you get the statement from the bank?

Rambo. Every thirty days. This statement is given to the Secretary of the Interior every thirty days.

Bryan. Did you hear anything relative to the solvency or financial condition of the Capitol National Bank at the time prior to its failure?

Rambo. Well yes. After the Holdenville bank affair, when we first heard of that we were a little worried about that, but it was explained in a way but I thought——

Bryan. Would that explanation remove your fears?

Rambo. Yes sir, a good deal. The Comptroller ordered an assessment I believe of a certain per cent to clear it which I understood was done and I thought it was all cleared up.

Bryan. Was there any local rumor as to the condition of that bank?

Rambo. No sir, I do not remember that there was, only the Holdenville bank.

Bryan. How long was the Holdenville bank failure before the Capitol National Bank failure?

Rambo. I forget.

Bryan. Do you know whether or not any of the local depositors removed their funds from fear?

Rambo. I do not. The business men deposited their funds just as they always had and their statements guided me a great deal. I have the two latest statements with me that the banks made.

Bryan. Those statements did not give any indication of insolvency?

Rambo. The last statements I looked over carefully and I thought them conservative statements.

Robinson. At the time of the Holdenville bank failure did you hear about Mr. Billingsley being insolvent in speculation?

Rambo. No sir, I did not. I thought it was made good by the stockholders.

Bryan. Did you know whether or not the Capitol National Bank was in a condition to have delivered the Territorial funds at the time of the failure of the Holdenville bank or the Capitol National Bank, had you so requested?

Rambo. Not without breaking the bank.

Bryan. Do you believe they would have been able to comply with your demand or have you any information?

Rambo. No sir. I believe had we made a demand of the total amount of the deposits at the time it would have broken the bank.

McBride. What is the available cash according to the last statement?

Rambo. There was \$343,427.77 in cash, in demand notes, \$141,000.00, deposits, \$1,033,000.00. This is a very fair condition.

McBride. What was the amount of available cash showed according to the last statement?

Rambo. \$584,000.00.

McBride. That demand loan is not available cash is it? I am not a banker but the bank statement shows \$343,000.00 in cash accord-

ing to their statement. Can you tell us what the Territorial Deposits were about this time?

Rambo. That was on the 28th day of March that statement was rendered and I think on the 15th day of March there was about \$271,000. On March 31st there was \$245,000 and this statement was rendered on the 28th.

McBride. Now in regard to the security the Territory held with this bank, did you consider the money perfectly safe at that time?

Rambo. Yes sir.

McBride. Will you give us a statement or show the contract that existed between the Territory and the bank at that time?

Rambo. Yes, I will. Here it is. (Hands over contract dated May 1, 1903, which becomes a part of the record of the proceedings.)

McBride. You had contracts with other banks at the time, I suppose?

Rambo. Yes sir.

Q. What security did you have with the Capitol National Bank and what was the amount of it at the time of the failure?

Rambo. \$350,000.00.

McBride. Will you give us the names of the Security Companies?

Rambo. The American Bonding Company, \$250,000.00; United States Fidelity and Guaranty Company, \$25,000.00; Fidelity and Deposit Company, \$75,000.00; the \$75,000.00 was only operative above \$250,000.00.

McBride. How many other banks was Territorial depositories at the time of the failure of this bank?

Rambo. Four others.

McBride. Do they have bonded securities the same as the Capitol National bank?

Rambo. Yes sir. The Guthrie National bank has a bonded security and the Logan County Bank has a bond for \$50,000.00 and the bal-

ance in Territorial warrants. The Savings Bank securities are all general revenue warrants and the National Bank of Commerce was all Territorial warrants and school district warrants.

McBride. Did you ever have any trouble at that time in getting banks outside of the Capitol National Bank to take the deposits of the Territory.

Rambo. They only want a certain amopnt. The Guthrie National Bank will not exceed \$200,000.00. The Logan County Bank only wanted \$75,000.00, that was their limit. The Savings Bank \$29,000.00. The National Bank of Commerce, I believe, only \$100,000.00, and when this increased amount of money came in from the school land department it only remained in the bank for such a short time that no bank felt like getting security for two or three months. The Capitol National Bank had security for \$425,000 up to the 6th of March, when one bond of \$100,000 expired.

McBride. Was it generally conceded that the Capitol National Bank was a safe institution?

Rambo. Yes sir. Among the business men of Guthrie, so far as I know, it was their depository and their deposits show that they ran up as high as \$1,500,000.00 which showed confidence.

Robinson. Now at the time of the Holdenville bank failure how much do you understand that Mr. Billingsley was involved in that failure?

Rambo. I believe about \$16,000.00 or \$32,000.00.

Robinson. You understood that matters had already been settled before this bank failed?

Rambo. Yes sir.

Robinson. There was never any local rumor here as to the unsafe condition of the bank before the failure?

Rambo. No sir. I do not remember that there was, but the Governor and I talked the matter over after the Holdenville affair and we concluded that we would reduce the fund just as fast as we could without letting the public know it and not injure the bank.

Robinson. You continued to deposit, did you not?

Rambo. During the month of March, our deposit did not amount to over \$7,000.00 for thirty-five days and we drew out about \$80,000.00 Just small amounts so that they would not notice it. The amount of the deposit during that time was very small.

Q. Did you make a demand during that time?

Rambo. Yes sir. \$238,000 was protested, after the close of the doors. If I had had any idea the bank was going to fail I would have tried to have drawn it in faster.

Woods. Do you remember how long it was between the two failures?

Rambo. Probably a couple of months.

Robinson. What is known about the condition of the bank?

Rambo. _____.

TESTIMONY OF WILLIAM GRIMES.

As to the general condition of the bank, I know very little about it. The general reputation of the bank was good and it was not even a breath of doubt except as to when the Holdenville Bank failed which was aboutand even after that had failed, as Rambo said, we all passed there during our daily walks to business and there was no serious consideration given it around this town and I do not know what I could say further.

Q. When did you first hear about the bank?

Grimes. This was about the first. I talked with Billingsley and he assured me he had very little interest in the Holdenville bank so far as owning stock was concerned. He was vice-president, and then assured me that they had been checked up by the inspectors and met the requirements and spoke of Dr. Brower sending his check promptly one of the largest stockholders of the Capitol National Bank and met all requirements. As I understand it, Dr. Brower and Mr. Billingsley of this city were the principal owners of the stock of the Capitol National Bank and this one thing justified everyone that the bank would never

break—the fact of the high standing of Dr. Brower. Brower was reported to be worth \$1,500,000.00. They would extend credit of over \$2,000,000.00 to this bank if it became necessary. Dr. Brower being a very rich man we believed he would not let this bank close under any circumstances. He settled at one time a \$78,000.00 check. Brower was here on Friday before the close of the bank and we talked over the Holdenville failure but he said, "I assure you that the people here need fear no uneasiness about this bank here closing."

TESTIMONY OF BAXTER.

McBride. Had you anything to do with this contract, Mr. Baxter?

Baxter. Not at that time.

McBride. Did you ever have any?

Baxter. Since April 11, 1904.

McBride. Do you consider the securities now held by the Territory against the bank good?

Baxter. I never had occasion to examine into this. I think they are all right. It was not our business to look over that contract. My understanding was that the stock was good as it sold as high as two hundred cents on the dollar just before the bank closed.

Goodwin. What in your opinion will the Territory get out of their assets over there?

Baxter. They will be paid in full.

TESTIMONY OF WILLOUGHBY.

Goodwin. Are you in a position to grant to this Committee the privilege of examining into the condition of the assets of the Capitol National Bank?

Willoughby. No sir, I am not.

Goodwin. Can you answer any questions relative to the value of the assets and what in your judgment will be paid back to the Territory?

Willoughby. I cannot.

Robinson. Can you tell us what they consist?

Willoughby. I cannot.

Goodwin. Is it the rules of the Department or the rule or the Comptroller of the Currency to keep such matters private until all affairs are adjusted?

Willoughby. It is.

Goodwin. For the benefit of the Committee you might explain why.

Willoughby. Individually, I would tell you everything, but I have my instructions from the Comptroller of the Currency. I also have instruction from the District Attorney. I am not supposed to look after the criminal part of it.

TESTIMONY OF SIMONS.

Q. Can you give us any statement in regard to the affairs of the bank?

A. Only so far as they are related to the suits which are being prosecuted by the Territory to recover for the loss and relative to the security which the Territory holds for the deposits.

Q. What is the condition of the suit at this time?

A. There are two suits pending at this time, one against the American Bonding Company of Baltimore to recover \$244,053.21 being the full amount of the deposit of the Territory in the bank at the time of the failure. The American Bonding Company executed a bond of \$250,000.00 as security for the Capitol National Bank as one of the Territorial Depositories. This bond was in full force and effect at the time of the failure of the bank. In addition to this there was another bond which is commonly called a binder or clincher in the sum of \$25,000 which was issued by the United States Fidelity and Guarantee Company. This obligation was issued on the thirtieth day of March, 1904, and was good for fifteen days following that date and was issued for the purpose of affording security in the intervals of time necessary to execute a permanent bond by the company. This tempor-

ary bond was in force and effect on April 4, when the bank failed. Suit has been instituted on this bond for the full amount of \$25,000.00 so there are now two suits pending against these two companies. In my judgment the Territory will recover in both instances. The status of these cases is this: In the case against the American Bonding Company, they filed first a motion to make our petition more definite and certain and to strike out certain portions of it. This motion was heard by the Court and overruled. They next demurred the petition. This demurrer was fully argued before the Court and overruled. They have now been given until the 15th day of this month to file their answer, the same to be without prejudice to the rights of the Territory to demand a trial at the present session of the District Court of this County. In my judgment the case will be tried during the next thirty days and I confidently expect to recover judgment for the amount of the Territorial Deposits less the dividend which has been received by the Territory from the receiver of the bank. In my judgment the American Bonding Company is solvent and the judgment when it becomes a finality will be paid. In this connection I will say that I have had considerable correspondence relative to those suits both with the Department of Justice at Washington and the Department of the Interior. This bonding company is recognized as solvent by these departments. The proceedings which I am conducting on behalf of the Territory meet with the approval of both of these offices of the Attorney General of the United States and the Department of the Interior and in my opinion it is only a question of time until the Territory will recover back the amount of the deposits of the bank.

Your Committee beg leave to submit the report of the expert examiners, which report is hereto attached and made a part hereof.

Respectfully submitted,

J. R. SCOTT,

Chairman...

J. G. THREADGILL,

C. J. MURPHY.

Committee.

REPORT OF THE COMMITTEE APPOINTED TO EXAMINE
INTO THE CONDITION OF THE SUSPENDED CAPITOL
NATIONAL BANK OF GUTHRIE IN SO FAR AS THE
FUNDS OF THE TERRITORY ARE CONCERNED.

We beg leave to submit a Joint Resolution passed by both Houses of the Oklahoma Eighth Legislative Assembly, including the correspondence and telegrams that have passed between the Comptroller of the Currency and the Receiver of the Capitol National Bank and such other information as has been available.

We were refused admittance to the books and papers of the said bank, except the account of the Territorial Treasurer.

On investigation, we find that the bank books showed \$244,046.22 to the credit of the Territorial Treasurer at the time of the failure. This is corroborated by the report made by the Receiver to the Comptroller of the Currency and also by the books of the Territorial Treasurer.

We also find that a twenty per cent dividend amounting to \$48,810.64 has been paid by the Receiver to the Treasurer of said Territory. A copy of the receipt thereof is attached to the report which leaves a balance due from said bank to said Territory of \$195,242.57.

The Receiver, Mr. Willoughby, proffered to give us any information we desired, that would be in accord with instructions received by him from the Comptroller of the Currency.

Below you will find copies of the telegrams sent to the Comptroller of the Currency and his replies.

COPIES.

Hon. F. L. Winkler,

President of the Council of the Territory of Oklahoma.

Guthrie, Oklahoma.

Sir:

I have the honor to acknowledge receipt of certified copy of Joint Resolution No. 4 of the Eighth Legislative Assembly of the Territory of Oklahoma, approved February 4, 1905.

Please communicate to the Committee of the Legislature, when appointed, the desire of this office to comply with the request, so far as possible, with due regard to the interest of the depositors of the Capitol National Bank of Guthrie.

Respectfully,

(Signed) WM. B. RIDGELY,
Comptroller.

(COPY.)

J. A. Willoughby,
Belleville, Ill.

Guthrie, Okla., March 1st.

Legislative committee demands examination of bank. Demand refused.

(Signed) R. S. BRIGGS,

(COPY.)

R. S. Briggs,
Guthrie, Okla.

Belleville, Ill., March 1st.

Telegraph Comptroller facts, ask instructions, if in doubt then consult Ames.

(Signed) J. A. WILLOUGHBY,

(COPY.)

J. A. Willoughby,

Washington, D. C., March 2.

Receiver, Capitol National Bank. Guthrie, Oklahoma.

General examination of legislative committee is refused. No objection to your showing Territory account if further inspection is requested state specifically what is desired.

(Signed) WM. B. RIDGELY,
Comptroller.

Comptroller of the Currency,
Washington, D. C.

March 1st, 1905.

Legislative committee demands examination of bank. Shall I permit examination, if so, shall it cover Territory's account only or all books and papers they desire.

(Signed) J. A. WILLOUGHBY,
Receiver.

(COPY.)

March 4, 1905.

Shall I permit Legislative Committee examine Receiver's report and answer questions as to value of assets?

(Signed) J. A. WILLOUGHBY,
Receiver.

(COPY.)

J. A. Willoughby, Washington, D. C., March 6.
Receiver, Capitol National Bank,
Guthrie, Oklahoma.

Refuse permission to examine Receiver's report and give no opinion as to value of assets.

(Signed) WM. B. RIDGELY,
Comptroller.

Mr. Willoughby proffered to procur a list of all suits brought to collect claims due said bank.

We feel that there is no other services that we can render the Committee so long as the Comptroller of the Currency maintains his present attitude.

We are unable to even suggest from the information obtained, the causes of the suspension of said bank or the available assets or the probability of another dividend.

J. A. GOODWIN,
W. L. CHAPMAN.

(COPY.)

No. of Claim 638 Check No. 790,338 First Dividend.

RECEIVED from WILLIAM B. RIDGELY, Comptroller of the Currency, Forty-eight Thousand Eight Hundred Ten and 64-100 Dollars, being a dividend of 20 per cent upon my claim of \$244,053.21 against the Capitol National Bank of Guthrie, Oklahoma Territory.

Dated at Guthrie, Okla. Ter.

Territory of Oklahoma.

(Signature.) C. R. RAMBO,
Treas.

December 31, 1904.

Mr. Becker introduced House Joint Resolution No. 16, as follows:

WHEREAS, It is necessary to appoint a Codifying Committee consisting of members from each branch of this Assembly to comply with the Section of the General Appropriation Bill, and

WHEREAS, It is necessary to make such appointment while the Legislature is in session,

THEREFORE, Be it resolved by the House of Representatives and the Council concurring therein, that the Speaker of the House appoint two members of the body and two clerks from this House, and the President of the Council appoint one member of the Council with a clerk from said Council to conform with Section of the General Appropriation Bill and such appointees shall constitute the said Codifying Committee from this Assembly.

Mr. Becker moved that the rules be suspended and House Joint Resolution No. 16 be considered read the second and third time and placed on its final passage. The vote resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, McBride, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 22; absent, Ballinger, Bryan, Fuller, and Prouty, 4.

The Speaker declared the rules suspended.

The vote on the adoption of House Joint Resolution No. 16 resulted: Ayes: Becker, Craig, Daniels, Ferris, Gandy, Gayman, Hogg, Ingmire, Jester, Levy, Logan, Maxwell, Noffsinger, Robinson, Ross, Walker, Wood and Mr. Speaker, 19; absent, Ballinger, Bone, Bryan, Fuller, Lydick, McBride and Prouty, 7.

The Speaker declared the Resolution adopted.

The Sifting Committee reported as follows:

Mr. Speaker:

The Sifting Committee recommend that Council Bill No. 121 do pass.

DYKE BALLINGER,
Chairman.

The report was adopted.

The Speaker signed Council Bills Nos. 38, 88, and 152 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Fuller to suspend the rules and consider Council Bill No. 121 favorably recommended by the Committee of the Whole and placed on its third reading and final passage, the vote resulted: Ayes: Becker, Craig, Ferris, Fuller, Gayman, Hogg, Ingmire, Levy, Logan, Noffsinger, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 16; nays: Daniels, Gandy, Jester and Maxwell, 4; absent: Ballinger, Bone, Bryan, Lydick, McBride and Prouty, 6.

The Speaker declared the rules suspended.

The vote on final passage of House Bill No. 121 resulted: Ayes: Becker, Bone, Craig, Daniels, Ferris, Fuller, Gayman, Levy, Noffsinger, Robinson, Ross, Taylor, Walker and Mr. Speaker, 14; nays: Gandy, Ingmire, Jester, Maxwell, McBride, Prouty and Wood, 7; absent, Ballinger, Bryan, Hogg, Logan and Lydick, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

Mr. Daniels moved a reconsideration of the vote whereby Council Bill No. 121 was passed.

Mr. Fuller moved that the motion be laid on the table.

Mr. Gandy requested a roll call which resulted: Ayes: Craig, Ferris, Fuller, Gayman, Levy, Logan, Noffsinger, Robinson, Taylor, Walker and Mr. Speaker, 11; nays: Becker, Daniels, Gandy, Ingmire, Jester, Maxwell, McBride, Ross, Wood, 9; absent, Ballinger, Bone, Bryan, Hogg, Lydick and Prouty, 6.

The Speaker declared the House at ease for ten minutes.

On motion by Mr. Ross to suspend the rules and consider Council Bill No. 162 read the second time, reported favorably and placed on its third reading and final passage, the vote resulted: Ayes: Ballinger, Becker, Bone, Bryan, Ferris, Ingmire, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speak-

er, 17; nays: Daniels, Gandy, Jester, Gayman, 4; absent, Craig, Fuller, Hogg, Lydick and McBride, 5.

The Speaker declared the rules suspended.

The vote on final passage of Council Bill No. 162 resulted: Ayes: Becker, Bone, Bryan, Craig, Daniels, Ferris, Gandy, Gayman, Ingmire, Levy, Logan, Lydick, Maxwell, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, Wood and Mr. Speaker, 21; absent, Ballinger, Fuller, Hogg, Jester and McBride, 5.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Speaker signed House Bills Nos. 224 and 229 and directed that the same be transmitted to the Council for the signature of Mr. President.

On motion by Mr. Robinson to reconsider the vote whereby House Bill No. 308 was passed, the vote resulted: Ayes: Becker, Bone, Ferris, Gandy, Ingmire, Jester, Levy, Logan, Lydick, Maxwell, Prouty, Robinson, Ross, Taylor, Walker, Wood, 16; nays: Bone, Daniels and Mr. Speaker, 3; absent, Ballinger, Bryan, Craig, Gayman, Hogg, McBride and Noffsinger, 7.

The Speaker declared the vote, whereby House Bill No. 308 was passed, reconsidered.

Message from the Council:

Mr. Speaker:

I have the honor to transmit herewith House Bills Nos. 229 and 224, which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 229 and 224 be transmitted to the Governor for his approval.

Message from the Council:

Mr. Speaker:

I have the honor to transmit herewith enrolled copy of Council Bill No. 121.

J. P. JAYNE, Chief Clerk.

The Speaker signed Council Bill No. 121 and directed that the same be transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit herewith Substitute House Bill No. 166 which was defeated—ayes 5; nays, 6; absent, 2, and House Bill No. 320 which has passed the Council.

J. P. JAYNE,
Chief Clerk.

On motion by Mr. Wood, the House voted to concur in the Council's amendments to House Bill No. 320 and the Speaker directed that the same be enrolled.

The vote on final passage of House Bill No. 308 resulted: Ayes: Ballinger, Daniels, Gayman, Ross, Walker, Mr. Speaker, 6; nays: Becker, Bryan, Craig, Ferris, Gandy, Ingmire, Jester, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Taylor, Wood, 15; absent, Bone, Fuller, Hogg, Lydick and McBride, 5.

The Speaker declared the passage of the bill refused.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 203, 350 and 280 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

Mr. Logan moved to reconsider the vote whereby the passage of Council Bill No. 102 was refused. The vote resulted: Ayes: Becker, Bryan, Ferris, Gayman, Ingmire, Levy, Logan, Noffsinger, Prouty, Robinson, Ross, Taylor, Walker, and Mr. Speaker, 14; nays: Ballinger, Craig, Gandy, Jester, 4; absent, Bone, Daniels, Fuller, Hogg, Lydick, McBride, Maxwell and Wood, 8.

The Speaker declared the vote whereby the passage of Council Bill No. 102 was refused, reconsidered.

The vote on final passage of Council Bill No. 102 resulted: Ayes: Becker, Bryan, Craig, Ferris, Gayman, Hogg, Levy, Logan, Maxwell, Noffsinger, Prouty, Robinson, Walker and Mr. Speaker, 14; nays: Ballinger, Gandy, Ingmire, Jester, Ross, Taylor, 6; absent: Bone, Daniels, Fuller, Lydick, McBride and Wood, 6.

The Speaker declared the bill passed and the entitling and enacting clauses agreed to.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills recommend House Bill No. 282 correctly enrolled.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed Substitute 176 for Council Bill No. 171 and House Bills Nos. 282, 203 and 350 and directed that the same be transmitted to the Council for the signature of Mr. President.

The Speaker directed House Bill No. 102 enrolled.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 238 correctly enrolled.

B. B. BONE,
Chairman

The report was adopted.

The Speaker signed House Bill No. 238 and directed that the same be transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I herewith transmit through you to the House, House Bills Nos. 282, 282, 203, 280 and 350 which have been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bills Nos. 238, 282, 203, 280 and 350 be transmitted to the Governor for his approval.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bill No. 320 correctly enrolled.

B. B. BONE,
Chairman.

By J. P. GANDY.

The report was adopted.

The Speaker signed House Bill No. 320 and directed that the same be transmitted to the Council for the signature of Mr. President. The Speaker appointed Mr. Becker and Mr. Lydick, a Committee to see that the Appropriation Bill was correctly enrolled.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 257 and 259 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed House Bills Nos. 259 and 257 and directed that the same be transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bill No. 320, which has been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

The Speaker directed that House Bill No. 320 be transmitted to the Governor for his approval.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bills Nos. 259 and 257 which have been signed by Mr. President.

The Speaker directed that House Bills Nos. 259 and 257 be transmitted to the Governor for his approval.

The Committee on Enrolled and Engrossed Bills reported as follows:

Mr. Speaker:

The Committee on Enrolled and Engrossed Bills report House Bills Nos. 291 and 266 correctly engrossed.

B. B. BONE,
Chairman.

The report was adopted.

The Speaker signed House Bills Nos. 291, 353 and Council Bill No. 102 and directed that the same be transmitted to the Council for the signature of Mr. President.

Mr. Jester moved that a Committee of three members of the House be appointed by the Speaker to act in conjunction with a like Committee of the Council, to inform His Excellency, the Governor, that the business of the Assembly is concluded, and ask if he has any communications to make to this Assembly.

The motion carried.

The Speaker appointed Mr. Jester, Mr. Ballinger and Mr. Noffsinger.

Mr. Lydick moved that the Speaker appoint a Committee of three to wait upon the President of the Council and inform him that the House was about to adjourn. The motion carried and the Speaker appointed Mr. Lydick, Mr. Becker, and Mr. Maxwell.

The Committee appointed by the Speaker to visit the Enrolling and Engrossing Room to see after the enrollment of House Bill No. 353, the general appropriation, reported as follows:

Mr. Speaker:

The main features of House Bill No. 353 are correct, but one or more errors were found, especially that which pertains to the printing of the Governor's Annual report.

J. P. BECKER,

J. D. LYDICK,

Committee.

At this point the two Houses assembled in Joint Executive Session for the purpose of hearing House Bill No. 353, the Appropriation Bill, read, after which the House reconvened in regular session and the Speaker directed that House Bill No. 353 be returned to the Enrolling Clerk for the purpose of making the three following corrections, which appear as errors in the enrollment of said bill:—

First, Strike out in Section 18, the words and figures, "publishing the Governor's report, \$1,000 per annum."

Second, strike out in Section 21 the words and figures, "Henry Caldwell, \$180."

Third, strike out in Section 8, the word and figure, "Three (3)," and insert the word Six and figure 6.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House over which you preside, House Bills Nos. 291 and 266 which have been signed by the President.

J. P. JANE,

Chief Clerk.

The Speaker directed that House Bills Nos. 291 and 266 be transmitted to the Governor for his approval.

The Speaker informed the House that the corrections, as directed, had been made to House Bill No. 353, and announced that he was about

to sign the same and ordered House Bill No. 353 transmitted to the Council for the signature of Mr. President.

Message from the Council:

Mr. Speaker:

I have the honor to transmit through you to the House, over which you preside, House Bill No. 353 which has been signed by Mr. President.

J. P. JAYNE,
Chief Clerk.

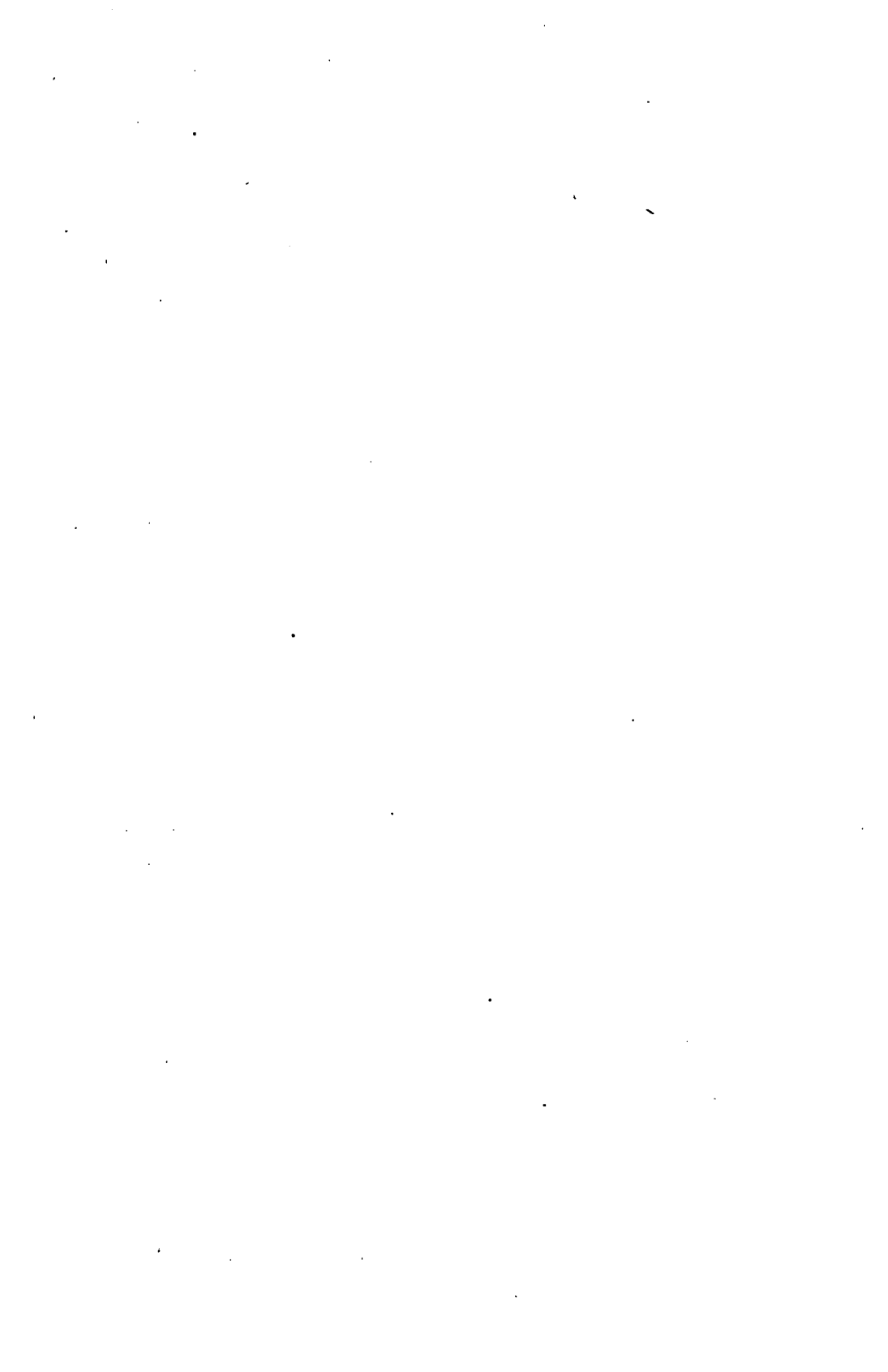
The Speaker directed that House Bill No. 353 be transmitted to the Governor for his approval.

Mr. Bryan moved that a notation of the occurrence which the House has had whereby it went into Joint Executive Session for investigation, be entered upon the House Journal.

The Speaker announced the following Committee, agreeable to Resolution inviting President Roosevelt and Speaker Joseph G. Cannon to visit Oklahoma, Mr. Noffsinger, Mr. Becker, Mr. Taylor, Mr. Levy and Mr. Fuller.

Mr. Noffsinger moved to adjourn without day, and the Speaker declared the House of Representatives of the Eighth Legislative Assembly to be adjourned sine die.

JESSE B. NORTON,
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No. 100. By Mr. Bone. An Act to legalize the incorporation of the town of Arapaho, in the county of Custer, Oklahoma Territory, and to legalize the proceedings of the board of trustees and their official actions	Introduced, read112 Read 2nd time121 Report Com.124 Engrossed186 Final vote191
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No. 103. By Mr. Lydick. An Act to amend Section 2506, Paragraph 587, of Wilson's Revised and Annotated Statutes of Oklahoma, so far as to make it unlawful for persons under the age of sixteen years to carry shot guns	Introduced, read112 Read 2nd time121 Report Com.163 Sus. rules289 Rep. Com. Whole170 Engrossed283 Final vote289
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No. 105. By Mr. Logan. An Act regulating payment of Territorial taxes by the county treasurers, and repealing Section Eight, of Article Three, Chapter Forty-three, General Laws of 1895.....	Introduced, read112 Read 2nd time121 Report Com.168 163 Rep. Com. Whole281
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No. 110. By Mr. Robinson. An Act amending Sections 5 and 7, of Article 8, of Chapter 12, of the Session Acts of 1897, the same being an act to provide uniformity in recording claims filed and allowed in the counties of the Territory of Oklahoma.....	Introduced, read113 Read 2nd time121 Report Com.156 142 Sus. rules289 Rep. Com. Whole270 Engrossed283 Final vote289
No. 111. By Mr. Maxwell. An Act to enable the owners of lands to drain and reclaim them when the same cannot be done without affecting the lands of others, etc.	Introduced, read113 Read 2nd time121 Report Com.179 Sus. rules289 Rep. Com. Whole281 Engrossed283 Final vote291 Enrolled374 Approvedyes
No. 112. By Mr. Ballinger. An Act appropriating money for the payment of the officers and employees of the Eighth Legislative Assembly.....	Introduced, read113 Read 2nd time113 Report Com.113 Rep. Com. Whole113 Engrossed113 Final vote118
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No. 114. By Mr. Noffsinger (by request of committee). An Act concerning criminal procedure, and requiring certain persons to testify on behalf of the Territory in criminal cases, and exempting such persons from prosecution for offenses of which the testimony so given might convict them.....	Introduced, read120 Read 2nd time135 125 Report Com.188 Sus. rules335 Rep. Com. Whole299 Engrossed307 Final vote336
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No. 119. By Mr. Ross. An Act amending Sections 4, 37 and 69 of Article 1, of Chapter 36, of Wilson's Annotated Statutes, relating to fees and salaries of county officers, and for other purposes.....	Introduced, read120 Read 2nd time125 Report Com.137
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No. 130. By Mr. Maxwell. An Act amending Sections 1 and 2, Article 1, Chapter 28, Session Laws, 1899..	Introduced, read127 Read 2nd time134 Report Com.163
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No. 136. By Mr. Robinson. An Act relating to the slaughter of cattle for sale to the public, and for other purposes	Introduced, read133 Read 2nd time140
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No. 138. By Mr. Robinson. An Act authorizing the town of Granite, Greer County, Oklahoma Territory, to construct, own, control and operate waterworks....	Introduced, read133 Read 2nd time140 Report Com.204 Rep. Com. Whole206 Engrossed349 211 Final vote222 Signed352 Approvedyes

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No. 163. By Mr. Logan. An Act amending Section 3397, of Article 1, Chapter 49, of Wilson's Annotated Statutes of Oklahoma Territory for 1903, relating to liquors	Introduced, read143 Read 2nd time154 Report Com.198 Sus. rules289 Rep. Com. Whole281 Engrossed283 Final vote291
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No. 167. By Mr. Logan. An Act to prevent combination in restraint of trade	Introduced, read148 Read 2nd time161 Report Com.216 164 Rep. Com. Whole286 Engrossed286 270 Special order286 270
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No. 202. By Mr. Norton. An Act providing for the relief of soldiers, sailors and marines, and for other purposes	Introduced, read179 Read 2nd time185 Report Com.204 Sus. rules289 Rep. Com. Whole281 Engrossed283 Final vote292
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No. 242. By Mr. Ballinger. An Act defining conditions of dependent, neglected and homeless children, and providing for their care in select and approved family homes	Introduced, read214 Read 2nd time219 Report Com.225 Sus. rules345 Rep. Com. Whole314 Engrossed350 Final vote346 Enrolled391 381 Signed392 Approvedyes
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No. 260. By Mr. Jester. An Act to legalize the incorporation of all cities, towns and villages heretofore incorporated under the laws of Oklahoma Territory, and amending Section 3, Article 1, Chapter 13, of Wilson's Annotated Statutes of 1903, and for other purposes	Introduced, read234 Read 2nd time240 Sus. rules350 Rep. Com. Whole350 Engrossed418 Final vote352
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